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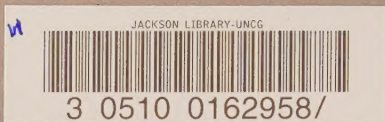
1939

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THE EAST TENNESSEE HISTORICAL SOCIETY



EAST TENNESSEE HISTORICAL SOCIETY
Special Studies in Tennessee History No. 1
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IMPROVEMENTS
in
TENNESSEE, 1796-1845

by

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278 pages — \$3.75

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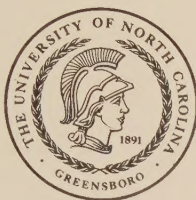
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THE WHIGS IN THE POLITICS OF THE CONFEDERACY*

By DANIEL M. ROBISON

In my study of Tennessee politics for the decade, 1886-1896, I found frequent references to the old-line Whigs, their principles and their influence. This raised certain questions which it seemed necessary to answer before one could understand the politics of *post bellum* South. Who were these old-line Whigs and what were their principles so often mentioned? Obviously they were of sufficient number in Tennessee to influence the course of political events. Was this true of other Southern states? To answer these questions it seemed necessary to know something of the old Whig party in the South—a subject already well treated by Arthur Charles Cole. Furthermore, it seemed necessary to follow these old-line Whigs through the Civil War and Reconstruction periods. Here the real difficulties began, for party labels became indistinct after secession. It has been necessary to search for the former political allegiance of individuals as well as to study that of counties and areas. I have only begun this search. For that reason this discussion is in no way definitive. It can deal merely with certain tentative suggestions in one phase of a problem that will require a great deal more research and study to solve with any show of finality.

The old Whigs spoke often of their "principles," but seldom took the trouble to define them. These principles were, said one of their number, "as well known as the Ten Commandments or the Apostle's Creed." Yet the Whigs, like other American political groups, often modified their principles to the demands of practical politics. In fact, one is tempted to apply to later periods Professor Carroll's conclusion that "Principles had little part in the origins of the Whig party." Certainly, in the South there were vital differences, say, between the national or Clay Whigs and those of the state rights wing of the party.

Yet despite all this, the Southern Whigs did have certain characteristics and attitudes that set them apart from the Democrats. They tended to become more national in their views. They were conservative on the whole, for they held among their number a majority of the wealthy planter and mercantile groups. They looked upon their party as that of the social and intellectual aristocracy. They feared and despised the Democrats as radicals and levelers.

It is true that the Whigs ceased to be an effective national party during the decade of the 1850's, when those in the North tended to

*Delivered as an address at the annual banquet of the East Tennessee Historical Society at the Andrew Johnson Hotel, Knoxville, October 7, 1938.

become Republicans. It seems to have been assumed rather widely that the Southern Whigs were similarly absorbed into the Democratic party. While this can be said of certain leaders of the state rights wing, it must be questioned whether the same is true of the rank and file of the party.

A study of the election returns by states, areas, and counties reveals that the Southern Whigs did not disintegrate as a political organism. In all the presidential elections from 1840 to 1860 inclusive, with but two exceptions, they showed a consistent increase in the number of votes polled. They became a minority in the South merely because the Democrats increased faster. The Whigs were never effective in South Carolina and Texas. In the other nine states which later comprised the Confederacy, however, they polled more votes for John Bell in 1860 than they had for any presidential candidate in any previous election. In fact, in those nine states in 1860 they polled only 60,000 less than the Democrats had ever received at any time before.

Thus it was that when the Confederacy took its permanent form in 1861, slightly more than forty per cent of its voters, outside Texas and South Carolina, were aligned with the Opposition or former Whig party. Did this powerful, able, and determined minority lose its identity in the politics of the Confederacy?

It can be stated with safety, I believe, that the great majority of Southern Whigs opposed secession on the mere ground of Lincoln's election. An examination of the secession movement in the several states reveals that they formed the backbone of opposition to such action. This was particularly true of the border Confederate states until after Lincoln's call for troops. Yet this generalization must be qualified for at least two states of the deep South. Two such authorities as Walter L. Fleming and Ulrich B. Phillips have found that in Alabama and Georgia the Whig counties of the Black Belt carried secession over the opposition of the northern Democratic counties. Professor Rainwater has found the opposite alignment in Mississippi. In seeking to understand this apparent contradiction, great weight must attach to Dr. Fleming's assertion as to Alabama. There, he believed, state sectionalism and personalities played a part. He ventured the suggestion that had the Black Belt declared for the Union, northern Alabama would have voted for secession.

As a matter of fact, the old Whigs, particularly the national wing of the party, tended to deny the right of secession. They contended that if the South must leave the Union, it must do so through the right of revolution. We know that in Tennessee the Whigs were of such strength and their views on this point were so pronounced that the state declared its independence instead of adopting an ordinance of secession. In most areas, however, the Southern Whigs subordinated their views

to state action and entered loyally into the War for Southern Independence.

When J. D. C. Atkins of Henry county in West Tennessee announced his candidacy for the first regular Congress of the Confederacy in October, 1861, he referred to "the total absence of everything like party issues both in Congress and among the people." A Memphis editor, at about the same time, asserted, ". . . there is but one party—the great united impregnable and unconquerable Southern party." The disappearance of old party lines seems to have been widely assumed at the time and as widely accepted since. It is an assumption, however, that may well be examined. That party divisions did appear later is a well recognized fact, but they seem largely to have grown out of differences of opinion about President Davis and his policies. Many Democrats became the President's most bitter critics and many one-time Whigs defended him. Yet one must ask whether this fact proves that the old Whig-Democratic divisions had disappeared.

That "Rebel War Clerk," C. B. Jones, as early as April, 1861, confided to his *Diary* his apprehension that the Virginia constitutional convention would be plunged into "a new conflict between the old parties, Whig and Democrat." Avery, in his *History of Georgia*, said of that state's 1861 legislature: "It was openly charged at the time that the whigs had clutched the legislature, and it was a sort of confirmation of it that none but old whigs were elected, with one or two exceptions."

Dr. Fleming thought it probable that the majority of delegates to the Alabama secession convention were formerly Whigs. That convention sent to the Provisional Congress four Democrats and eight one-time Whigs. According to Professor Shanks, the Virginia Convention contained eighty-five followers of Bell, thirty-seven Douglas men, and thirty Breckenridge Democrats. The Virginia delegation to the Provisional Congress contained five old-line Democrats and ten Whigs or former Whigs. The Whigs continued numerous and influential in Louisiana, and that state's delegation to Montgomery contained four Whigs, one Democrat, and one about whose politics I can discover no certain knowledge.

On the other hand, the Whigs had been impotent in South Carolina and Texas, and not one of their number was sent to the Provisional Congress from those states. Unfortunately, Professor Rainwater's rather exhaustive tabulation of the membership of Mississippi's secession convention does not include a political classification. We do know, however, that the Democrats were a decided majority in the state. Mississippi's delegation to Montgomery included six Democrats, two men who had been Whigs, and one unknown. So far as it has been possible to classify their membership, delegations from Tennessee, North Caro-

lina, Florida, and Arkansas were rather evenly divided between Democrats and former Whigs.

Allowing for the fact that some of these former Whigs had earlier aligned themselves with the Democrats, and allowing for other factors that undoubtedly brought Whig leadership to the front, still a general pattern seems to emerge in the selection of provisional congressmen. Former Whigs predominated in delegations where they controlled the state or convention; Democrats predominated where they controlled; and the delegations were rather evenly divided in states where the parties had been near a parity.

In March, 1861, before Tennessee had left the Union, William G. Brownlow charged that President Davis had confined his cabinet appointments to the old Democratic party and had ignored the Bell and Douglas men. To Whig Brownlow's way of thinking, the provisional Confederate government was nothing more than "a revival of corrupt Southern Democracy." Professor Dodd has held that even in military matters "public sentiment required the pairing of a Democrat with an original Whig in the nomination of field commanders."

In the light of such evidence, it would seem that the influence of old Whig-Democratic politics did not disappear in the early days of the Confederacy.

Professor McElroy was undoubtedly correct when he said of the Confederate Provisional Congress that the majority of its members had been opposed to secession. William E. Dodd describes the situation as "a strange spectacle—a revolution led by its opponents."

From first to last, ninety-nine men sat in this body to represent the eleven states that actually left the Union. I have been unable to identify the politics of eight of these. The remaining ninety-one consisted of forty-eight Democrats and forty-three former Whigs. Excluding South Carolina and Texas from the count for reasons already mentioned, there represented the other nine Confederate states thirty-two Democrats, forty-three one-time Whigs, and seven whose politics are unknown.

The Montgomery Congress voted unanimously for provisional president and vice-president. Davis was a recognized leader of the Southern Democrats. Alexander H. Stephens had been an outstanding Whig, had later joined the Democrats, but had followed the Whig tradition in his opposition to secession. Back of the unanimous vote of the Congress, there seems to have been considerable "jockeying" for the presidency. Those, other than Davis, who appear to have been seriously considered at one time or another were Stephens himself, Robert Toombs, Howell Cobb, and R. M. T. Hunter. It may or may not be significant that Stephens, Toombs, Cobb, and Hunter had all been state rights

Whigs who had turned Democrats. And of these, all but Cobb later became outstanding critics of the Davis administration.

Governor Brownlow was partially correct at least in his statement about the first Davis cabinet. It did not contain a single Bell Whig or Douglas Democrat, so far as I have been able to find. It did contain, however, two state rights Whigs who had become Democrats.

During the life of the Confederacy, fourteen men sat in the Davis cabinet. Nine of these were regular Democrats, three were Democrats who had been state rights Whigs, and only two were Union Whigs in 1860. So far as I have found, none of the nine regular Democrats ever turned against their chief. Three of the five Whigs or former Whigs resigned from the cabinet to become bitter critics of the administration. It may be easy to attach too much significance to this fact, but it cannot be ignored.

The first general elections in the Confederacy were held during the summer and fall of 1861. Military activities had been few, and the one great battle—Bull Run—had been a victory for the Southerners. There had been little criticism of the Richmond government and, in spite of the supposed presidential ambitions of R. M. T. Hunter and General Beauregard, Davis was chosen without difficulty. Stephens continued as vice-president. There were only slight changes in the cabinet following the elections.

During the different sessions of the First Congress, because of five deaths and resignations, the eleven Confederate states were represented in the Senate by twenty-seven individuals. Of these, thirteen were Democrats and twelve were one-time Whigs. I have been unable to determine the politics of the remaining two. Whether it was a premeditated policy I cannot say, but the tendency in several states was to divide the senatorships between Democrats and former Whigs. This was true not only of Tennessee but also of Alabama, Georgia, Louisiana, and Mississippi. North Carolina and Virginia sent only ex-Whigs, while South Carolina and Texas sent only Democrats. If we except these last two states again, the remaining nine sent three more Whigs than Democrats to the Senate.

The membership of the lower house of the First Congress probably reflected more accurately the relative strength of the two groups in 1861. Twenty-four of its ninety-five members I have been unable to identify. Of the remaining, there were forty-three Democrats and twenty-eight former Whigs. Again if we except the Texas and South Carolina delegations, the count stood thirty-eight Democrats, twenty-seven Whigs, and seventeen unknown. Provided the unknowns were rather evenly divided between the two groups, it would seem that the Democrats held only a moderate majority.

It seems worth while to consider here the results of the 1861 elections in North Carolina—a subject that has been ably discussed by Dr. Richard Yates in his as-yet-unpublished study of Zebulon Vance, War Governor. In 1860 the Democrats, with small majorities, had elected a governor and a majority of the legislature. By early 1861 a reaction had set in, so that the Whigs controlled the secession convention. Rivalry between the Whig convention and the Democratic legislature developed, and party lines were drawn. The Democrats, with a few Whigs, made up the Confederate party, while the Conservatives consisted mostly of old-line Whigs. The Whigs, says Yates, felt that the Democrats had monopolized the offices under the new regime. Too, Federal seizure of points along the coast had brought the war home to the people. These two circumstances were certainly among the factors that produced a Whig victory in the state. Vance, the successful Conservative candidate for governor, had been outstanding among the younger Whig leaders before 1861. The Confederates, though generally regarded as Democrats under another name, had nominated a former Whig as their gubernatorial candidate. This appears to have been an effort to attract Whig voters and thereby break party lines—an effort that seems to have failed. The revolution was made complete, says Yates, when the Conservatives gained control of the legislature. That body filled both senatorships with former Whigs, and the people elected to the lower house of Congress four Whigs, five Democrats, and one whose politics I do not know.

By the time of the general elections of 1863, Gettysburg and Vicksburg had been added to Confederate military reverses. Eminent scholars have dealt with the many factors, including the military, that had created discontent, disillusionment, and war-weariness within the Confederacy at this date. We are concerned here with the political expression of that discontent, particularly as it related to the Whigs.

In Alabama, for example, the discontented elements helped to elect Thomas Hill Watts as governor over the secession Democrat who had defeated him in 1861. Watts was an old-line Whig, had been a Bell-Everett man in 1860, and had opposed secession until the election of Lincoln. In spite of the fact that he was a member of the Davis cabinet at the time of his election, he was looked upon as the anti-Davis candidate. Afterwards he was frequently at odds with the Richmond government. Yancey's seat in the Confederate Senate was filled by Robert Jemison, a Union Whig and opponent of secession. R. W. Walker, a former Whig, defeated C. C. Clay, secession Democrat, for Alabama's other senatorship. Furthermore, according to Fleming, a disaffected element was elected to the legislature and to Congress. As a result of these elections, not only both senators but six of the nine congressmen

were Whigs, and one of the three Democrats elected was so openly Unionist that the House expelled him as a traitor.

It would be too much to say that the results in Alabama were typical of what happened in all the other Confederate states. It is well to remember, however, that the Confederates in Tennessee elected Robt. L. Caruthers governor and that Caruthers was a Whig. In Mississippi two Whigs and one old-line Democrat were candidates for governor. The Democrat ran a very poor third. In Georgia, Democrat Joe Brown of anti-Davis fame, was reëlected governor, but only one of the state's delegation to the lower house of the First Congress was returned to the Second.

Only a few senators came up for election in 1863; hence the turnover in that body was small. The new Senate contained ten Democrats, eleven one-time Whigs, and two whom I cannot classify. In the lower house, less than half the membership of the First Congress was returned to the Second. Among those reëlected, the Whigs predominated over the Democrats by about twenty per cent. The Democrats in the House decreased from forty-three to twenty-three, the Whigs or former Whigs increased from twenty-eight to thirty-five, and the unknowns increased from twenty-four to thirty-three.

It is obvious that no satisfactory conclusion is possible as to the relative strength of Whigs and Democrats in the House of either Congress until many of these unknowns have been identified. However, on the basis of the information we have, it appears that the Democrats lost heavily in the congressional elections of 1863 and that the Whigs made considerable gains. It would seem that, as between the two, the Whigs dominated the House in the Second Congress with a majority slightly less than that of the Democrats in the First.

The general elections of 1863 were the last held during the Confederate period. Before the next were due in 1865, Reconstruction was under way.

In the light of the evidence examined, we must first of all remember the opening confession—this evidence is inadequate to justify definite conclusions. Yet it does seem possible to suggest certain tentative ideas that may eventually lead to a better understanding of the Whigs in the politics of the Confederacy.

It seems probable that they remained conscious of their former political connections, and it is not likely that their low estimate of the Democrats heightened as the war continued. Moreover, they seem to have remained conscious of the advantages of public office, whether civil or military. Furthermore, they seem to have felt, in some places at least, that the Democrats had tended to monopolize the offices. In most areas

they remained loyal to the Confederacy, and gave it effective service in military and civil capacities. It does not appear that they, as a group, contributed to the many fundamental causes that eventually produced widespread dissatisfaction with the Davis administration.

This dissatisfaction brought a political upheaval of the first magnitude, though it must be remembered that the elections were frequently held under abnormal conditions. It seems certain that in North Carolina by 1861, and in several other states by 1863, the people were turning more and more to the former Whigs for leadership in state affairs. In Richmond, by the beginning of the Second Congress, former Whigs were in the majority in both the lower house and in the Senate, so far as my classification of membership shows. There too, the influence of ex-Whig Alexander H. Stephens appears to have grown as that of Democrat Jefferson Davis declined.

The temptation here is to make out too clear-cut a case. Reasonable caution compels us to remember that many of the administration's most violent critics were Democrats, and some of its staunchest defenders were Whigs. The old party lines and labels remain obscure to the last. With all that, however, the trend toward the Whigs by 1863 seems unmistakable. Had the collapse been postponed beyond the elections of 1865 and had the 1863 trend continued, one can declare with reasonable assurance that the old-line Whigs were in a fair way to dominate politics in a great portion of the Confederacy.

CHEROKEE REMOVAL, AN UNNECESSARY TRAGEDY*

By JOHN P. BROWN

Exactly one hundred years ago, the Cherokee Indians were removed from their ancestral homes to the region west of the state of Arkansas, present day Oklahoma. There, using the language of the United States government, they were settled in what was to be "A permanent home that shall never in the future have extended around it the lines, or placed over it the jurisdiction of any Territory or State."¹

Many reasons were advanced for Indian removal. The true one was that the land occupied by them, and guaranteed to them by the United States, was desired by white settlers. The urgent reason at that time was that gold had been discovered on Cherokee land.

At the time of removal, the Cherokees numbered not more than 20,000. They were surrounded by a large and ever growing white population. Sequoyah had perfected his alphabet. The Scriptures had been printed in Cherokee and accepted by a large proportion of the tribe. A system of government with all necessary functions had been organized under a constitution based on that of the United States. The Indian nation was well advanced along the road to civilization. They had no desire to remove to the West and resume the old savage hunting life. They were perfectly satisfied where they were, and their only desire, as stated by their principal chief, John Ross, was to remain peaceably in the land of their fathers.

Calm study of the facts, after the lapse of a century, brings the conviction that the removal of the Cherokees was unjust and unnecessary. In my opinion, it is the darkest blot on our history as a people, typical, however, of our treatment of all the original inhabitants of our country. To be sure, the problem at the time offered difficulties of settlement. No one will contend that all of the territory of the Cherokees, comprising probably 35,000 square miles at the end of the Revolutionary War, could be left forever as a hunting ground for 20,000 Indians. The Creator had other designs for this splendid country of ours, even if during the last few years we do seem to have thrown a monkey wrench into His machinery. The same difficulties that confronted our section

*Delivered as an address at the annual banquet of the East Tennessee Historical Society, Andrew Johnson Hotel, Knoxville, Friday, October 7, 1938.

¹James Mooney, "Myths of the Cherokee," *Nineteenth Annual Report of the Bureau of American Ethnology* (Washington, D. C., 1900), 124. This quotation constituted a new "myth" added by the white man.

then, later confronted Oklahoma, and were solved. The Cherokees have proven good neighbors in Oklahoma, and would have been good neighbors to the people in the East, had they been permitted to remain.

I am aware that it has been customary to blame Georgia for Cherokee removal—and Georgia was to blame, no mistake about that. And because that is true beyond a shadow of a doubt, may we of Tennessee dust off our wings and proclaim ourselves angels? Hardly. Why, pray, were the Cherokees in Georgia? So far as I have been able to ascertain, there was only one Cherokee town within the present limits of Georgia during the period of English settlement. In the extreme northeastern tip of Georgia, the mountainous nature of the country made it necessary for the Charleston Trail to dip into Georgia to reach Rabun Gap. The Cherokee town of Sticoy was located just south of that gap, at the site of the present Clayton, Georgia.² Yet, three quarters of a century later, at the time of the removal, three fourths of the Cherokees lived in Georgia.

As Mr. C. W. Post, who gave us Postum and numerous breakfast brain foods used to stress in his advertising, "There's a Reason." In the year 1786, John Sevier, of our own "State of Franklin," projected a campaign against the upper Cherokee towns because of some outrages with which those upper towns had nothing whatever to do. It was not much of a campaign. An Indian town was burned. There was no Indian opposition, but there was a resultant "Treaty," if treaty it may be called, following the campaign. General William Cocke announced to Principal Chief Old Tassel, speaking for the state of Franklin:

The new state has bought all of the Indian lands north of Little Tennessee River, and intends to settle them, and if any Cherokee interferes, his town will be burned.³

The surprised Old Tassel replied that he had never heard of the purchase. For that matter, no one else had heard of it until that moment, but bought the lands were, and bought they stayed, though some slight compensation had to be made later by the United States government according to the treaties of 1791 and 1798. I have Judge Samuel C. Williams as my authority in saying, "No act of the State of Franklin is less creditable than the treaty of Coyatee."

This so-called "treaty" forced the Cherokees to abandon their long occupied towns along the Little Tennessee River and begin a hegira to the southward. Two years later, Old Tassel was killed while under a

²John Stuart's Map, 1770. Sticoy in Cherokee is Utsuti-kwa-yi, "Much Fish There"; literally, a good fishing place.

³S. C. Williams, *The Lost State of Franklin* (Johnson City, 1924), 99; J. G. M. Ramsey, *Annals of Tennessee* (Philadelphia, 1860), 345; J. P. Brown, *Old Frontiers* (Kingsport, 1938), 255.

flag of truce by order of Sevier's subordinate, James Hubbard. The Indian capital was hastily moved from beloved Chota, on the Little Tennessee, to Oostanaula in Georgia, and Georgia became the center of Cherokee population.⁴

Tennessee did not rest on her laurels there. In 1805 and 1806 the United States government, responding to pressure from Tennessee, induced the Cherokees to cede practically all their remaining land in Middle Tennessee. In the year 1817, Commissioners Andrew Jackson, David Meriwether, and Joseph McMinn, all of Tennessee, forced upon the Cherokees an unwelcome treaty which ceded all Cherokee land lying in this state west of Walden's Ridge; and two years later still another cession was obtained including all land lying north of Hiwassee River. It was at this last treaty that Andrew Jackson, then the most popular military leader in America, told the Cherokees that they must prepare to remove to the West; and until they were removed, Jackson did not budge from that position—as a matter of fact he was never good at budging.⁵ Thus, Tennessee dumped the Cherokee proposition into the lap of Georgia, and polished her own crown while Georgia proceeded to blacken hers. And from that day the shadow of Andrew Jackson loomed over the Cherokees, growing ever more ominous.

In 1802, Georgia ceded her western lands to Congress, lands out of which were to be carved the states of Alabama and Mississippi. The state received in return a million and a quarter dollars, plus her share of the expense of the Revolutionary War. A simple clause in Georgia's document of cession, apparently inoffensive, was to cause the ruin of the Cherokees. Congress agreed to "extinguish Indian titles within Georgia, *as soon as it could be done on peaceable terms.*"⁶ Georgia accepted that portion of the clause which suited her wishes, extinguishment of Indian titles. As to the limit of time in which the titles might be acquired peaceably, Georgia gave neither the United States nor the Cherokees any peace until they were extinguished.

Through unceasing pressure, quite a number of Cherokees were induced to remove "peaceably" to the West, until, in 1828, when Andrew Jackson was elected to the presidency, probably 6,000 were living in what is now Oklahoma. Indian removal may be considered as one of the planks upon which "Old Hickory" was elected, for he was frankly

⁴Oostanaula was on Coosawatie River about two miles above its junction with the Conasauga. A few years later the capital was established at a town at the junction of the two rivers, called, in honor of the old capital, New Echota.

⁵For Jackson's talk to the Cherokees, see Thomas L. McKenney and James Hall, "John Ross," in *Indian Tribes of North America* (Philadelphia, 1854).

⁶For terms of the cession, see Charles C. Royce, "The Cherokee Nation of Indians," *Fifth Annual Report of the Bureau of American Ethnology* (Washington, D. C., 1887), 233.

and openly sympathetic with Georgia's aims, which were nothing less than the removal of all Indians across the Mississippi (as Jackson put it in one of his letters, "X the M."). In advocating this policy Jackson was typically western and typically honest. The frontiersman in him believed, honestly, that white men and Indians could not live satisfactorily as neighbors. Then, too, Andrew Jackson had a far view of the future of the United States. He foresaw that all of the land, at least all east of the Mississippi, would be needed for the use of the white man. Before the election, he notified Georgia's representatives that, if elected, they might count on his aid.⁷

Within a month after Jackson's election, the Georgia legislature passed an act annexing all Cherokee lands, denying Indians practically all legal rights in the state, and dividing the Cherokee country into lots of 160 acres to be distributed by lottery to Georgia citizens, preference being given to those citizens who had rendered military service. Surveyors were sent immediately into the Cherokee section of the state, backed by the military force of the Georgia guard, and the Cherokees were harassed from the state by intolerable conditions. In the same year, gold was discovered on Cherokee land near Dahlonega and an uncontrollable gold rush was precipitated. The former enactment was amended, adding to the lottery "gold lots" of forty acres, and forbidding the Cherokees to dig gold on their own land.⁸

John Ross, the courageous principal chief of the Cherokees, one of the greatest characters that America has produced, hastened to Washington to protest the action of Georgia. William Wirt, ex-attorney general of the United States, was employed as counsel, and he represented the Cherokee cause most ably. The case of the Cherokees was whipsawed back and forth in American politics for a number of years, the condition of the Indians growing steadily worse.

A fair specimen is the case of Chief Ross himself. On his return from Washington, he found his home in possession of a citizen of Georgia who had drawn it in the lottery, and had expelled Ross's family in inclement weather. Traveling northward, the chief overtook his family fleeing toward Tennessee, where the Cherokees yet owned the limited section of that state lying south of Hiwassee River.⁹ a

⁷Mooney, *op. cit.*, 117. Royce (*op. cit.*, 237-238) also gives an interesting resumé of the controversy between Georgia and the United States. Correspondence, frequently warm, between Governor Troup of Georgia and President Monroe, revealed that the government had acquired for Georgia under the 1802 agreement more than fifteen million acres of land at a cost of approximately \$8,000,000.

⁸Mooney, *op. cit.*, 117.

⁹"Memorial and Protest of the Cherokee Nations," *House Documents*, 24 Cong., 1 Sess., No. 7.

Joseph Vann, a wealthy Cherokee, had built the first brick residence in northern Georgia, at Spring Place. This splendid house yet stands, though in bad repair, and should be preserved as a memorial to a great people. Vann's house was drawn in the lottery by Spencer Riley. The house was almost new, and had cost the Indian chief \$10,000 to build, the material having been hauled by ox-team from Savannah, and some of the woodwork having been imported from London. Riley was much impressed by the place. He was peaceably inclined about his lottery claim, and after remaining as Vann's guest for several days, might have compromised by selling his lottery rights to the owner. Vann, however, had committed the unpardonable sin of hiring a white contractor, Robert Howell, to build his home. After it was finished, he had continued to employ Howell as supervisor of his 800 acre farm. It was contrary to Georgia law for an Indian to employ a white man.

Vann's action thus made him a malefactor, and as he was wealthy, he was one of the early malefactors of great wealth. William N. Bishop, who commanded the Georgia guard in that section, announced that Vann, being a criminal, had forfeited his right to own property in Georgia. He therefore turned up at Vann's door, backed by the guns of the guard. Spencer Riley was literally shot out of the way. Vann fled from his magnificent residence and 800 acre farm to a log cabin with dirt floor in Tennessee. Bishop took his \$10,000 house without paying a penny.¹⁰

The Christian missionaries who had labored faithfully among the Cherokees for many years were objectionable to Georgia because it was thought that their influence stiffened Indian opposition. S. A. Worcester and Elizur Butler, the two leading missionaries, were arrested and eventually condemned to four years at hard labor in the Georgia penitentiary at Milledgeville. They carried their case to the Supreme Court, which decided against Georgia, but President Jackson immediately decided against the Supreme Court. "John Marshall has made his decision—now let him enforce it," the President is said to have remarked. To one of his friends, Jackson wrote that in case of a clash between the Cherokees and the state of Georgia all the power of the United States could not save the Cherokees.¹¹

Few men called Andrew Jackson dishonest and lived to tell it. Certainly had I been living then, I would not have called him dishonest in anything except the strictest of privacy. As a matter of fact, I admire him as probably our greatest Tennessean. However, he had a

¹⁰*Ibid.* Vann was later reimbursed by the United States government, receiving \$16,685 for the property seized by Georgia, plus transportation to the West. For amounts paid, see *Senate Documents*, 25 Cong., 2 Sess., No. 120, pp. 1024 *et seq.*

¹¹*Ibid.*

way of making his thoughts fit his desires. Only a short time after the Worcester case, the state of South Carolina undertook to flout the United States in a matter that happened to run counter to "Old Hickory's" ideas. Then, it was a case of "By the Eternal," and South Carolina took to cover. Everyone knows that if Andrew Jackson had opposed the removal of the Cherokees, Georgia could not have removed them. Therefore, all the blame for the removal rests not upon Georgia; our own Andrew Jackson of Tennessee was also responsible.

The two men named above, John Ross and Joseph Vann, were not the only well established Cherokees. Another, John Martin, treasurer of the Cherokee Nation, drew rations when removed for eleven members of his family and seventy-four slaves. The Cherokees were a civilized nation. Through the efforts of the missionaries, they had been almost wholly Christianized. Sequoyah's alphabet, one of the most remarkable inventions of the human mind, had made his people a reading nation. Evidence of the keenness of Cherokee intellect is the action of David Brown, a young student who, after eleven years of study, translated the Bible into Cherokee from the original Greek, scorning to use the English version for the purpose.¹²

Still, the Cherokees must be removed. The fight went on, unceasingly, until the patience of many of the Indians was worn thin. Particularly those wealthy Cherokees in Georgia whose lands and homes had been taken without compensation began to turn a hopeful ear toward Washington with the idea of gaining at least something for their lands, since Georgia had already taken them and there was no hope for their recovery. Major Ridge, whose fine home near Rome, Georgia, had been taken by the lottery, headed a faction which demanded that the Cherokees make the best bargain they could for the lands already taken.

Time will not permit the full story to be told, but there is not a more heroic chapter in American history than the patriotic effort of John Ross to save his people. But he lost. A treaty, in no wise authorized or representative of the will of the Cherokee people, was signed at New Echota in December of 1835, by which all Cherokee land east of the Mississippi was ceded to the United States for \$5,600,000 and an equal acreage in the West.¹³

The sum of \$5,600,000 looks like a lot of money. It was for that time, though now it would not buy a power system or start the building of a dam. That amount would have meant \$250.00 to every Cherokee

¹²Robert S. Walker, *Torchlights to the Cherokees* (New York, 1931); Brown, *Old Frontiers*, 478.

¹³A significant fact is that the same twenty men who signed the treaty in December, 1835, were earlier in the same year paid sums ranging from \$1,000 to \$2,500. *Senate Documents*, 25 Cong., 2 Sess., No. 120.

man, woman, and child. The foolish Cherokees, balancing \$250.00 against the homes of their fathers, rejected the treaty with bitter scorn. John Ross carried a protest to Washington signed by 13,000 Cherokees.¹⁴ But Jackson was adamant. The Cherokees must be removed. He compared them to emigrants. "Our own people," he said, "came from Europe to get the very same thing that we are offering to Cherokees. We offer them transportation in luxury to free land, with subsistence for a year. Would not our own people have been delighted with so handsome an opportunity?"¹⁵

The best answer to the argument is a personal application. If anyone had attempted to remove Andrew Jackson forcibly from the Hermitage after setting an arbitrary price on that residence, and had offered to transport him in luxury to a less favored state than his beloved Tennessee—well, "By the Eternal!" they would never have accomplished it.

During the two years which the treaty of New Echota allowed for voluntary removal of the Cherokees, probably 2,000 members of the Ridge faction removed, including Major Ridge himself. The followers of Ross, numbering three fourths of the nation, refused to volunteer, though some of them were living in the Volunteer State. Serious trouble, leading possibly by the annihilation of the Cherokees, was in the making. General John E. Wool was sent into the Cherokee territory with troops to preserve order. Major B. F. Curry, government emigration agent, promoted emigration by dangling rich reward before the eyes of those Cherokees who had been despoiled by Georgia.

The treaty faction was nobly rewarded. Major Ridge was paid \$30,000; his son John was paid \$10,000; William Rogers, \$6,000; Elias Boudinot, \$3,170; Johnson Rogers, \$8,000; Andrew Ross, \$4,437; Joseph Vann, \$16,000; John Martin \$9,000; John Gunter, \$5,000.¹⁶ These payments indicate either astonishing value of Indian farmlands, or earnest desire to promote emigration. Ross, with his 13,000 loyal followers who clung to the last minute to the land they loved, and that we love today, were eventually removed by force, and received nothing.

Can we name any standard of patriotism to which these people do not measure? Did they not love the America that we love, and did they not pay the extreme price because of that love? Are they any the less patriots because they fought against our forefathers, and because our forefathers later did them wrong? If a foreign foe were to attempt to wrest this country from us, would they not be scalped with machine guns, and burned with poison gas? Is there a finer instance of patriot-

¹⁴Mooney, 275.

¹⁵*Senate Documents*, 25 Cong., 2 Sess., No. 120.

¹⁶*Ibid.*

ism in the world's history than that of humble Cherokee Tsali, who voluntarily gave his life, and that of his brother and two sons, that the pitiful remnant of his people might continue to live on that little spot of ground in North Carolina?¹⁷ Are we disloyal to the memory of our forefathers, yours and mine, when we face the facts and admit that they did wrong?

A recent publication¹⁸ gives the details of the final settlement of the treaty of New Echota, made in 1893, nearly sixty years after the treaty was negotiated. At that time, settlement was made with the descendants of those Cherokees who had emigrated voluntarily, the "Old Settler" party in Oklahoma. From the original treaty price, \$5,600,000, several deductions were made: half a million dollars for additional western land which it was claimed the Cherokees had received, another half million which had been placed in a fund from which the Cherokees were supposed to have received an annuity, the entire cost of removal of the Ross party, all payments which had been made to members of the treaty party for their property in the East, and half a million, supposedly paid to the Old Settlers in 1851. After these various deductions had been made, the descendants of the Cherokees who had removed voluntarily had the magnificent sum of \$212,376.94 to divide among themselves. The Ross party, comprising three fourths of the Cherokee people, were paid nothing; nor have they been paid anything to this day.

When one considers that the United States, within the fifteen years following Cherokee removal, minted seven and a half million dollars in gold at the Dahlonga mint; and that white men today own practically all the land of value in Oklahoma that was guaranteed to the Cherokees forever, it will be readily seen that Uncle Sam's real estate deal with the Cherokees was most profitable to him.

As indicative of the spirit of the times at removal, there was quite a scramble then, as now, for public office and its perquisites. A large number of employes were placed on the public payroll to see that removal was well done. They were all employed according to Andrew Jackson's "yardstick" of that day, "To the victor belong the spoils."

Among the applicants for deputy removal agent, I was interested to note the name of Jo Conn Guild, who later became famous as a jurist and author. Guild at that time was a member of the Tennessee state Senate. He contemplated resigning in the event he secured the removal job, holding the doctrine, not now generally accepted by all politicians,

¹⁷For story of Tsali, see Brown, *Old Frontiers*, 520.

¹⁸M. L. Wardell, *The Political History of the Cherokee Nation* (Norman, Oklahoma, 1938).

that it was dishonorable for a man to hold two public offices at the same time. I quote a letter from Guild, addressed to General Nathaniel Smith, removal agent, under date of September 1, 1837:¹⁹

Dear General Smith: I received a letter yesterday from General Jackson, informing me that you would give me the appointment under the Cherokee treaty in the event of my resigning my seat in the Tennessee Legislature.

The General informed me that *HE* had replied that I could not, in the present state of politics, resign my seat. In this I fully concur, and wish my application withdrawn.

In ordinary times I might resign; but while the other states of this Union, with few exceptions, have given up their opposition to the late and present administrations, through the intrigues of John Bell and others, Tennessee is to be made a Federal State, chained to the car of H. Clay or Daniel Webster. This is a good cause to fight in, and it becomes every Democrat to be at his post.

Although Guild was to become famous as a jurist and as the author of *Old Times in Tennessee*, he was a private in the Democratic ranks so far as "Old Hickory" was concerned.²⁰

Of the actual Cherokee removal, of the terrible physical reality of it, probably the less said the better. Since the beginning of time, man's inhumanity to man has made countless thousands mourn. The removal was a mistake, a useless tragedy. It is said that we must take history as it is. We may speculate—IF the Cherokees had been left in their fatherland; IF they had been given some of the mountainous territory that we have abused; but there are no IFs in history. Be it right or wrong, and it is often wrong; be it just or unjust, and it is often unjust; the "moving finger writes, and having writ, moves on; nor all our piety nor wit shall call it back to cancel half a line, or change a word of it." The hard fact remains that in the dealings of one people with another, the majority, in the long run, rules, and "to the victor belong the spoils."

¹⁹*Senate Documents*, 25 Cong., 2 Sess., No. 120, pp. 923, 992.

²⁰Judge Guild's grandson, Jo Conn Guild III, is one of Chattanooga's most prominent "industrial royalists," having served for a long time as president of the Tennessee Electric Power Company which was recently (since this address was given) absorbed by the T. V. A.

JAMES K. POLK AND THE "IMMORTAL THIRTEEN"

By POWELL MOORE

The Tennessee state elections of 1841 resulted in a partial Whig victory. James Chamberlain Jones defeated James K. Polk, the Democratic candidate for reelection as governor. The legislature, however, was divided between the two parties. In the lower house the Whigs had a majority of three, while the Democrats controlled the Senate by the narrow margin of thirteen to twelve.¹ Nominally, therefore, the Democrats, having a majority in the Senate, possessed the power to block any measure of the Whigs that did not meet with their approval. But on any question which required the joint vote of the two houses, the Whigs were in a position to outvote their opponents. Thus the stage was set for one of the most bitter political conflicts in the history of the state.

The attention of both parties, when the legislature convened in October, 1841, was on practical politics, the paramount question being the election of United States senators. An unusual condition existed. The term of Alexander Anderson, who had taken Hugh Lawson White's seat in 1840, expired on March 4, 1841, and that of A. O. P. Nicholson, who had been appointed by Polk to succeed Felix Grundy in the same year, would terminate when the legislature met.² Therefore, in October, 1841, both seats were vacant.

There were several prominent men in both parties who were candidates. Among the Whigs Ephraim H. Foster was recognized as having the first call. He had been driven from the Senate by the Democrats in 1839, and the Whigs were determined to send him back. He was particularly objectionable to the Democrats, who were equally determined that he should not be one of those chosen. Spencer Jarnagin, because of his work as one of the electors-at-large in the recent election, was favored for one of the coveted seats.³ John Bell, who had sacrificed his post in Tyler's cabinet on the altar of party loyalty, although he did not return to Tennessee until the contest was well under way, be-

¹Election figures are from the *Tribune Almanac*, 1841 (New York, 1842). See the author's article, "James K. Polk and Tennessee Politics, 1839-1841," in *East Tennessee Historical Society's Publications*, No. 9 (1937), 31-52, for a more complete account of this election.

²The Democrats elected Polk governor and won both houses of the legislature in 1839. They immediately brought instructions to bear on the two Whig senators, Hugh Lawson White and Ephraim H. Foster, and both resigned. Grundy was elected in November, 1839, to the seat vacated by Foster, and Anderson took White's seat in 1840. Grundy died in December, 1840. See author's article, *loc. cit.*, 39-49.

³Jarnagin took White's place on the electoral ticket after the latter's death in May, 1840.

came a powerful candidate. It was certain that Bell and Foster would be bitterly opposed by the Democrats.⁴

Nicholson, Polk, and Hopkins L. Turney were the principal Democratic candidates. The former based his claims on his service to the party in the past, and on the fact that he had been the temporary occupant of Grundy's seat. It was the opinion of Andrew Jackson and other leaders that Polk's great work for the party in the recent state election should be rewarded by an election to the Senate.⁵ Anderson, whose term in the Senate had just expired, recognized this and assured Polk that he would support him.⁶ Turney, who had come forward rapidly in the councils of the party, was also a logical candidate. As the Democrats expected to get but one seat, the rivalry between Polk and Nicholson threatened to split the party. There had been a noticeable lack of good feeling between the two men for several years, and a quarrel between them at this time might prove disastrous. The most influential men in the party, it appears, were sympathetic with Polk. Samuel H. Laughlin wrote him in September that the approaching contest would test Nicholson. "If he does not unite heart, hand and soul with us, in our just endeavors to promote the good of the party by promoting you, I am not the only man by some 20 that will be found determined to be off him at least."⁷ Nicholson, however, in the pending contest held a peculiar advantage over Polk. The latter, afraid that two defeats in a row might have a disastrous effect on his political ambitions, remained under cover and did not work openly in his own behalf.

The idea of Polk going to the Senate was an extremely distasteful one to the Whigs. In the recent campaign they had charged that Polk's real objective was not the governor's chair but the Senate.⁸ It had taken a herculean effort to defeat him in the gubernatorial contest, and they were determined that the effect of that triumph should not be marred by the elevation of their beaten foe to the upper house. In regard to Polk's candidacy the Nashville *Republican-Banner* declared, "He has just been banished from the highest office within the gift of the people . . . can barefaced impudence go farther than this?"⁹

⁴Bell was one of the founders of the Whig party in Tennessee, and had been a thorn in the side of the Democrats for many years. See the author's article, "The Revolt against Jackson in Tennessee, 1835-1836," in *Journal of Southern History*, II (August, 1936), 335-359.

⁵Jackson to Francis P. Blair, August 12, 1841, Papers of Andrew Jackson, CV (Manuscript Division, Library of Congress). The Nashville *Union*, August 19, 1841, supported Polk.

⁶Anderson to Polk, September 28, 1841, Papers of James K. Polk, XLIX (Manuscript Division, Library of Congress).

⁷Laughlin to Polk, September 12, 1841, Polk Papers, XI, IX.

⁸Nashville *Whig*, May 12, 1841.

⁹Nashville *Republican-Banner*, October 4, 1841.

The extreme opposition may have caused the Democrats to refrain from publicly advocating Polk's candidacy. The latter at any rate remained in the background, and, although still hoping that he might be chosen, contented himself with directing the Democrats in the legislature from his home in Columbia. A study of his correspondence with the Democratic leaders in Nashville justifies the conclusion that he must be held responsible for the course of the thirteen Democratic senators, later known as the "Immortal Thirteen." The death of Grundy had made Polk the acknowledged leader of his party in Tennessee.

The regular method of electing United States senators was by a joint convention made up of both houses of the legislature. As the Whigs would have a majority in such a body in Tennessee in 1841, the Democrats sought a way out of their dilemma. They now made the "discovery" that the usual method was unconstitutional, for, as they contended, the constitution of the state required that each house should vote separately for senators.¹⁰ For their own purpose it was an important discovery, as by no other method could they hope to delay an election until the Whigs were ready to compromise by agreeing that one senator should be chosen from each party.¹¹

The Democratic control of the Senate, however, was precarious. One of their number, Samuel Turney, a brother of Hopkins L. Turney, was doubtful in his political affiliations. Laughlin had written Polk, early in the recent campaign, that Turney would "run as a tolerably good Whig in White and Jackson counties, and as a red hot Democrat in Overton and Fentress."¹² The Democrats had grounds for worry, for if Turney went over to the Whigs, all would be lost. Hopkins L. Turney promised Polk that he would do all he could to keep his brother in line.¹³

In September Samuel Turney threw a scare into the Democratic ranks by announcing his candidacy for the speakership of the Senate. Laughlin wrote Polk of his fears: "A new thing under the sun. Sam Turney intends polling for speaker. If so the Whigs may . . . elect him as the price of his vote for one Whig Senator . . . I hope his brother will be home and at Nashville at our meeting—mischiefs must be prevented."¹⁴ The Democrats must have received some assurance that Samuel Turney would be safe as his election in October to the speakership elicited no comments in their correspondence at that time.

¹⁰Nashville *Union*, November 22, 1841.

¹¹William Carroll to John C. Calhoun, November 18, 1841, C. S. Boucher and R. P. Brooks (eds.), "Correspondence Addressed to John C. Calhoun," American Historical Association, *Annual Report*, 1929, p. 167.

¹²Laughlin to Polk, March 12, 1841, Polk Papers, CLVII. In this letter Laughlin showed his dislike for Turney by saying, "You know Sam. He must be permitted to go the way his own devil drives him, or he won't go at all."

¹³Turney to Polk, August 24, 1841, Polk Papers, CLIX.

¹⁴Laughlin to Polk, September 12, 1841, *ibid*.

On October 20, 1841, a resolution to go into the election of senators by a joint convention of the two houses was rejected by a vote of thirteen to twelve in the Senate.¹⁵ This was the first indication of the partisan nature of the contest. The Democratic senators became known as the "Immortal Thirteen," and their opponents were characterized by the Democrats as the "Inglorious Twelve" or the "Twelve Destructives."¹⁶ The "Thirteen" were ably led by Andrew Johnson and Samuel H. Laughlin, and, with the exception of an occasional desertion by Samuel Turney, voted as a body on all questions of party politics. The Democrats justified their course, not only by the constitutional argument, but by the claim that the thirteen Democratic senators represented 62,000 voters, whereas the twelve Whigs represented only 58,000. The fallacy of the argument lay in the fact that the Whigs had a clear majority in the lower house which was larger than that of the Democrats in the Senate. The Democrats pointed out, however, that one of the Whig members of the House of Representatives had been instructed by a majority of more than two thirds of the qualified voters in the district he represented to vote for Democratic senators. If he were not unwilling to abide by those instructions, the strength of the two parties would be equally balanced in any attempt to elect United States senators, even by the convention method. The Whigs replied that the district represented by Samuel Turney in the Senate contained a majority of Whigs.¹⁷

On October 19 the thirteen Democratic senators submitted a questionnaire to Ephraim H. Foster and to Hopkins L. Turney, who had been taken up by the Democrats when it had become evident that Sam Turney might not be safe. This questionnaire requested the candidates to state their positions on a uniform bankrupt law, a United States bank, and a proposed bill designed to increase the federal taxes on salt, food, clothing and other necessities of life.¹⁸ The Democratic senators took the stand that they would not go into an election for United States senators until the candidates had given satisfactory answers to those questions.¹⁹ It was clearly their intention to pave the way for the forced resignation of Foster, should he be elected, if at any time in the future the Democrats should gain control of the legislature.

¹⁵*Niles' Register*, LXI, 167 (November 13, 1841).

¹⁶*Nashville Union*, November 22, 1841. The "Immortal Thirteen" included the following men: Samuel Turney, J. P. Hardwicke, Samuel H. Laughlin, Thomas J. Matthews, Andrew Johnson, Richard Warner, W. T. Ross, Sackfield Maclin, John Miller, Robert W. Powell, B. Martin, John A. Gardner, and Richard Waterhouse. *Republican-Banner*, October 22, 1841. The "Twelve Destructives" were Lewis Reneau, William Williams, John R. Nelson, Joseph H. Peyton, William Ledbetter, Thomas R. Jennings, Robert C. Foster, Henry Frey, Benjamin T. Motley, Hezekiah Bradbury, Valentine Sevier, and John B. Ashe.

¹⁷*Nashville Union*, December 6, 1841; *Senate Journal*, 1841-42, pp. 244, 247.

¹⁸Samuel Turney and others to E. H. Foster, October 19, 1841. *Niles' Register*, November 6, 1841.

¹⁹*Ibid.*

Hopkins L. Turney promptly accepted the invitation and distinctly avowed his position on every question at issue. He not only declared that he would vote against the obnoxious measures, but also referred the people to his record in Congress on these questions.²⁰ He was, therefore, acceptable to the Democrats.

Foster, however, took a different attitude, and refused to answer the questions. He clearly saw the partisan nature of the Democratic demands and probably felt that his party held the advantage. His reply to the "Thirteen" was a cutting one. He had been in public life long enough for them to know his "sentiments." "If after all this, we do not yet sufficiently understand each other," he declared, "it must certainly be the result of incorrigible dullness somewhere. . . . I feel myself compelled to decline the explanations I have hitherto failed to impress upon your intellects."²¹

Foster's position apparently convinced the Democrats that the Whigs would not compromise with them on the candidates. It appears that the "Thirteen" determined at this time not to go into a convention, but to force their opponents to agree to the election of a Democratic senator by holding to their position of voting separately. Foster was bitterly denounced because of his refusal to acknowledge the recognized right of instruction.²²

On November 22 Sam Turney caused consternation in the Democratic ranks by announcing that he would call up and support a resolution in favor of a convention election.²³ Laughlin wrote Polk of Turney's action: "The true secret is, his brother has left for Washington and Sam has concluded that he could not be elected, and that no Senators would be elected, and that thereby he would incur some responsibility. Besides this John Nelson has abused and bullied him in the chair until he is afraid to call his soul his own."²⁴

The Democrats, fearing the results of Turney's action, hastened to bring forward another compromise. John A. Gardner, one of the "Thirteen," introduced a joint resolution, to be considered by the two houses separately, providing for the election of Hopkins L. Turney and Thomas Brown to fill the two vacancies in the United States Senate, the former to complete the unexpired term of Felix Grundy and the latter to succeed Alexander Anderson for the full term of six years. Brown, although

²⁰H. L. Turney to the Democratic Legislative Committee, November 2, 1841, *Nashville Union*, November 3, 1841.

²¹Foster to Sam Turney and others, *Nashville Republican-Banner*, October 22, 1841.

²²*Nashville Union*, October 25, 1841; *Washington Globe*, November 3, 1841. Andrew Johnson was of the opinion, after the publication of Foster's letter, that neither party could elect a senator during that session of the legislature. Johnson to Lowery, October 24, 1841, *Papers of Andrew Johnson I* (Manuscript Division, Library of Congress).

²³Sackfield Maclin to Polk, November 22, 1841, *Polk Papers*, XLIX.

²⁴Laughlin to Polk, *ibid.*

a Whig from Roane county, was acceptable to the Democrats because of his favorable answers to the questions propounded to him. He was considered as "being with" the Democrats on the questions in dispute, particularly in that he admitted the right of instruction.²⁵

Before the Gardner resolution was adopted by the Senate, however, it was amended on the motion of Robert W. Powell of Carter county so as to provide for the election of Hopkins L. Turney alone. In this form, with the name of Thomas Brown omitted, the resolution was rejected by the House on December 1. On the same day, Samuel Turney brought up his resolution providing that the Senate meet with the House on December 2 and 3 to elect two members of the United States Senate. The resolution was adopted, with Turney voting with the Whigs.²⁶

Therefore, on December 2 Sam Turney and the twelve Whig senators proceeded to the chamber of the lower house to join that party in an election. The twelve remaining Democratic senators declined to attend the convention. When summoned they sent a written notice to their speaker, Turney, stating that they were in the Senate chamber ready for "constitutional business." The joint convention, lacking a quorum, was compelled to adjourn.²⁷

This action of the Democrats brought down on their heads the severest denunciations of the Whigs. The Nashville *Whig* regarded it as an attempt on the part of the Democratic senators to circumvent the constitution of the United States.²⁸ General Jackson, however, congratulated the Democrats for "protecting the fundamental principles of our Republican system,"²⁹ while the Nashville *Union* hailed it as a triumph of the right of instruction. The Democratic senators, it declared, had refused to go into the convention because of Foster's refusal to admit that right.³⁰

The return of John Bell from Washington in November complicated the situation and increased the fears of the Democrats. When Bell had resigned his post as secretary of war, he had declared that he did not expect to be sent to the Senate.³¹ It was Laughlin's opinion, though, that Bell had disclaimed that intention with great reluctance, and several

²⁵*Ibid.*; Jeremiah G. Harris to Polk, December 13, 1841, *ibid.*; *Senate Journal*, 1841-42, pp. 238-239.

²⁶*Ibid.*, 262-263, 275-276.

²⁷Nashville *Whig*, December 3, 1841. Full accounts of this episode may be found in all the other Nashville papers. On December 3 Turney remained with the others of the "Thirteen" in the Senate chamber.

²⁸*Ibid.*

²⁹Jackson to Kendall, December 15, 1841, Jackson Papers, CVI.

³⁰Nashville *Union*, December 3, 1841.

³¹Bell to S. D. Stout, Thomas Washington, and others, November 22, 1841, *Niles' Register*, LXI, 231 (December 11, 1841).

of the Democratic leaders warned Polk that his "old enemy" must be reckoned with.³² Bell was not in Tennessee long before it was apparent that there was a rift between him and Foster. Jeremiah G. Harris wrote Polk, "I think there is a deep gulf between Bell and Foster. Bell is heard to murmur about he would like to be honored with a call for his opinion by the thirteen. . . . I fear that he finds one or more of our counsel who are as selfish as he is and who like him would bargain upon any terms for self-aggrandisement."³³ Bell, it appears, threatened to create a split in the Democratic party, as well as in his own. The Democrats were clearly suffering from lack of leadership. Polk was urged to come to Nashville and take personal charge of the Democratic forces. J. P. Hardwicke wrote him: "We want your counsel, we want your presence. The voice of the chief at this moment would throw dismay into the opposition ranks."³⁴

Some of the Democrats, it seems, in their opposition to Foster, were ready to interrogate Bell.³⁵ Others, like Andrew Johnson, were growing hostile to Hopkins L. Turney,³⁶ and Polk was needed to keep them in line, as a last effort was in preparation to have Turney and Brown elected. Polk, however, refused to be drawn into the spotlight by coming to Nashville.

The evidence indicates that the Whigs were divided between Bell and Foster. The Nashville papers were behind Foster, while the organs of the eastern and western divisions were supporting Bell.³⁷ Parson William G. Brownlow, editor of the Jonesboro *Whig* was particularly anxious to see Bell obtain one of the coveted posts. He began at this time to show a loyal support of Bell which was to last even after the latter had joined the secession movement in 1861. Brownlow denounced the opposition to Bell and declared that "We are perfectly acquainted with the whole Whig crusade against Bell at Nashville, and at the proper time, we shall give it to the world."³⁸ It is evident that this contest was proving to be a strain on the party loyalty of both Whigs and Democrats.

The fear of Bell and of a split in their own party caused the Democrats on December 20 to offer again a resolution to elect Turney and

³²Laughlin to Polk, November 22, 1841; Maclin to Polk, November 22, 1841; and Hardwicke to Polk, November 23, 1841, Polk Papers, XLIX. According to Laughlin, many Whigs preferred Bell to Foster and Jarnagin.

³³Harris to Polk, December 13, 1841, *ibid.*

³⁴Hardwicke to Polk, December 13, 1841, *ibid.*

³⁵W. H. Polk to Polk, December 15, 1841, *ibid.*

³⁶Hardwicke to Polk, December 15, 1841, *ibid.* He told Polk: "I might say that some of our party has acted badly and sowed the seeds of discord in our ranks, it comes from a quarter that renders it certain that only you can stop the current. . . . Murry has poisoned Johnson of Green and he said to me the other day he believed Hop Turney was as mean as Sam."

³⁷Trenton *Journal*, December 15, 1841, in Jonesboro *Whig*, December 22, 1841. Harris to Polk, December 13, 1841, Polk Papers, XLIX.

³⁸Jonesboro *Whig*, December 22, 1841.

Brown by the separate vote of both houses. It passed the Senate but met the fate of the former resolution in the lower house.³⁹ The effort was made again on December 31, but with the same result. The vote in the lower house, at this time, was disconcerting to the Democrats as three of their own number refused to vote for Brown.⁴⁰ This broke somewhat the force of the Democratic leaders' contention that the Whigs were hostile to compromise. It was also a warning to the Democrats that some other plan must be adopted to win one of the senatorial posts, if party harmony were to be maintained. It was also apparent that the Whigs would never support Thomas Brown.⁴¹

John Catron and Aaron V. Brown were afraid that the Democrats were overshooting their mark in this contest. It was evident to both that their colleagues were so blinded by partisanship that they were overlooking the disastrous results that would probably flow from such a course. Catron warned Polk that it would be dangerous for the Democrats if the state elections of 1843 should be fought over the senatorial issue. "Who can support the new theory that an election by joint ballot is unconstitutional?" he asked Polk; "the assumption is nonsense . . . wholly unfit for a party to rest itself upon."⁴² The influence of Catron, who was on the bench of the United States Supreme Court at the time, should have had some effect. He clearly saw that his party was placing itself in a weak position, and one that would be hard to defend in the next election.

As the session drew to a close new and increased efforts were made to solve the problem. Polk, it seems, held the key to the situation. A proposition was made by the friends of Bell to elect that Whig leader and some Democrat, preferably Hopkins L. Turney.⁴³ It is possible that, if it had not been for Polk's extreme dislike for Bell, the proposal would have been successful. Polk, however, promptly vetoed this plan with the declaration that it would never do to elect Bell by Democratic votes. It would not only be placing him in a position to do mischief, but would be rewarding his apostacy.⁴⁴ In view of Polk's more favorable attitude toward Foster, it seems that he permitted his personal animosity toward Bell to prevent the election of senators. When informed that

³⁹Nashville *Union*, December 22, 1841.

⁴⁰W. H. Polk to Polk, January 16, 1842, Polk Papers, I.

⁴¹The Nashville *Republican-Banner*, January 5, 1842, asked, "And pray, who are H. L. Turney and Thomas Brown, that they are to be thrust upon the Whig majority in the Legislature and the State? . . . Why one, it is true, is a self-styled Democrat, and the other is said to be a Whig. . . . Do either the Whigs or Democrats really want such men to go to the National Senate? Far from it."

⁴²Catron to Polk, January 2, 1842, Polk Papers, I.

⁴³Laughlin to Polk, January 10, 1842, Hardwicke to Polk, January 26, 1842, *ibid*. Both Laughlin and Hardwicke appear to have been in favor of the plan.

⁴⁴Polk to Maclin, January 17, 1842, Johnson Papers, I.

similar overtures had been made by the friends of Foster, and that the latter was willing to submit to instructions, Polk declared:

It would be a bitter pill to take Mr. Foster even upon a compromise, and yet if nothing else can be done I have been brought seriously to doubt whether we had not better take him with some good and true Democrat than to have the State unrepresented in the Senate and thus raise up a perplexing troublesome issue of Senators or no Senators in the State, which may probably be the test question in our elections in 1843.⁴⁵

However, he was insistent that Foster must yield to the Democratic mode of election and also submit to instructions. It was his opinion that either Andrew Johnson or John Blair would be suitable Democratic candidates if one of the senators must come from East Tennessee. It is evident that Catron's warning was having some effect on Polk.

Because of the opposition of most of the Democrats to Foster, Hardwicke was of the opinion that his party would support the latter only if some Democrat of superior ability were chosen with him. That Democrat, according to Hardwicke, was Polk. However, he wrote the latter that it was "dangerous, and your position a peculiarly difficult one, to advance your claims with safety."⁴⁶

Polk, however, refused to risk his political future by coming out publicly for the place. Had he done so, it is entirely possible that an election would have taken place. The weight of the evidence indicates that it was Polk who was responsible for the failure of the efforts to elect senators, and the blame was justly placed on his shoulders in the election of 1843. The legislature adjourned on February 7, and Tennessee was without representation in the United States Senate for the next two years.

The Democrats had permitted themselves to commit a great blunder, and the Whigs wasted no time in taking advantage of the situation. The *American Eagle* of Memphis declared that "if the people were not fools" they would never again vote for any of the "Immortal 13."⁴⁷ "Parson" Brownlow conducted a systematic campaign against the "Thirteen" until after the elections in August of 1843. For several months he published a column headed, "Keep It Before the People," in which he showed how a minority of Democrats had defeated the will of the people.⁴⁸ The Whigs of Memphis struck a shrewd blow at their opponents when they adopted resolutions requesting the "Honorable Henry Clay of Kentucky, and Honorable W. C. Preston of South Carolina . . . to watch over, protect and defend the peculiar interests of the State of

⁴⁵Polk to Maclin, *ibid.*

⁴⁶Hardwicke to Polk, January 26, 1842, Polk Papers, I.

⁴⁷Memphis *American Eagle*, January 21, 1842.

⁴⁸Jonesboro *Whig*, February 9, 1842.

Tennessee . . . and hereby adopt them as our Senators as fully and completely as it is in our power to do so. . . ."⁴⁹

The Democrats, in the summer of 1842, made a belated effort to redeem themselves with the people. In May, four of the "Thirteen," headed by Laughlin and Andrew Johnson, offered to bring about the resignation of all the Democratic members of the state Senate if the Whig senators would also resign. In that way the issue could be decided by the people in an election.⁵⁰ To the surprise and chagrin of the Democrats the Whigs hastened to accept the proposition. That the Democrats were not serious and were merely trying to save their faces with the people became evident when Laughlin refused to go through with his proposal, and demanded instead that the members of both houses resign. This demand was only fair, he said, as each party had a majority in one of the houses. The rest of the "Thirteen" supported Laughlin.⁵¹ The Whigs apparently saw through the efforts of their opponents, and, realizing that the advantage was on their side, completely ignored the repeated demands of the Democrats throughout the rest of the summer.

Because of the obstructive tactics of the "Immortal Thirteen," the session of the legislature of 1841-42 was almost completely devoid of any constructive legislation. The Whigs refused to cooperate with the Democrats in electing a state comptroller and a state treasurer because the latter would not agree to choose senators by a joint vote.⁵² The Democrats tried to make as much political capital out of this as possible and sought to divert the attention of the people from their own obstructive tactics.⁵³

The greatest blunder committed by the "Thirteen," with the exception of the senatorial stand, was their rejection of Governor Jones' nominations of directors of the Bank of Tennessee. Two lists of directors were submitted by Jones, one on January 29 and the other on February

⁴⁹Resolutions adopted by Memphis Whigs, in *National Intelligencer*, February 13, 1842.

⁵⁰*Niles' Register*, LXII, 240 (June 11, 1842). During the recent session of the legislature Laughlin had made such a proposal which was agreed to by the Whigs. Andrew Johnson, however, killed the movement by demanding that Governor Jones resign also. See *Nashville Republican-Banner*, June 22, 1842.

⁵¹Laughlin to the Whig members of the state Senate, *Central Gazette* (McMinnville, Tennessee), June 17, 1842. Laughlin was the editor of this paper. See Hardwicke to Harris, June 22, 1842, in *Nashville Union*, June 24, 1842. M. A. Lang and a committee of eleven Democratic senators to Whig members of both houses of the legislature (n. d.), in *Nashville Union*, June 28, 1842.

⁵²*Nashville Republican-Banner*, January 2, 1842.

⁵³W. H. Polk wrote to Polk, January 2, 1842, that "Our object is to place them in the position of refusing to elect State officers necessary and essential to the proper administration of our State Government because we prevent them from placing in the Senate men who stand mum." Polk Papers, L.

6, 1842, only to be rejected by the Democrats.⁵⁴ Although there was no evidence of corruption in the management of the bank, the refusal of the Democrats to permit a new set of directors to be chosen brought forth from the Whigs the charge that something was wrong with that institution. "Parson" Brownlow devoted much space in his *Whig* to this phase of the contest and professed to understand why the Democrats were afraid to permit an investigation of the bank. It was said, he declared, that Sam Turney was a defaulter for the sum of \$30,000 at the branch bank at Sparta and that, if a general investigation were allowed, "some awful disclosures would be made." He promised his readers some real disclosures at an early date.⁵⁵

In the autumn of 1842 a special session of the legislature was called for the purpose of redistricting the state. Although the Whigs expected that because of the "Thirteen" little else would be done, another effort was made to elect senators. This, however, was a failure. Governor Jones also submitted to the legislature for approval the names of three men as commissioners to investigate the affairs of the state bank. The "Thirteen" caused their rejection by the Senate.⁵⁶

The Whigs made a great ado over the refusal of the Democrats to permit an investigation of the bank. This refusal, coming as it did on the eve of the election of 1843, was used against the Democrats. Brownlow declared that nine of the "Thirteen" were either indebted to the bank beyond their ability to pay, or had friends who were in that condition.⁵⁷ The bank, he asserted, was the most stupendous failure ever witnessed in the state; it had been "used up in three short years by the Locofoco party in an effort to elect James K. Polk Governor and Van Buren President."⁵⁸

It is extremely difficult to understand how shrewd politicians like James K. Polk, Andrew Johnson, and Samuel H. Laughlin could have been so blind to the results of the course pursued by the "Thirteen" during the legislative session and the period that followed. The called session of congress of 1841, as John Catron told Polk, had furnished the Tennessee Democrats with issues upon which victory could have been achieved in 1843.⁵⁹ However, their intense partisanship and shortsightedness had diverted the attention of the people from national issues, where the Democrats had the advantage, to local questions, upon which public opinion was clearly behind the Whigs. The "Thirteen" by their

⁵⁴Laughlin to Polk, January 29, 1842, *ibid.* Nashville *Republican-Banner*, February 7, 1842.

⁵⁵Jonesboro *Whig*, February 27, 1842.

⁵⁶Nashville *Republican-Banner*, October 10, November 18, 1842.

⁵⁷Jonesboro *Whig*, March 8, 1843.

⁵⁸*Ibid.*

⁵⁹Catron to Polk, January 2, 1842, Polk Papers, L.

own blind partisanship had pulled the house down upon the heads of their party. Polk found himself, and justly so, at an enormous disadvantage when he opened his campaign against Jones in 1843.

Polk, with his eye on the vice-presidency in 1844, felt that his own ambitions would be advanced if he redeemed Tennessee for his party in that year.⁶⁰ He therefore entered the race against Governor Jones. Because of the activities of the "Immortal Thirteen" it was generally expected that the campaign would be a furious one.

The Whigs made every effort to confine the discussions to state issues. Jones scathingly denounced the conduct of the "Immortal Thirteen," and the Whig organs devoted much of their space to the reviling of that group. The *American Eagle* spoke of its course:

Was ever party madness and outrage so gross . . . can such men be trusted? Are they patriots? Colonel Polk defends this monstrous and abominable course of his thirteen friends. Gracious God what have the people to hope when one of his station upholds and defends such revolutionary acts? . . . Mark them, rebuke them, drive them from your counsels, from your support. . . .⁶¹

Jones made much of the Democratic refusal to confirm the lists of bank directors. He declared that the Polk directors were corrupt men who, for fear of exposure, did not dare relinquish their offices. He was sure that there was something "rotten in Denmark," and that if the people should be enabled to get a "peep" into the bank and should find all the money there, he would be "agreeably surprised."⁶²

It was impossible to keep entirely away from national issues. The proposed United States bank, the tariff, distribution of the proceeds of public land sales, and the bankrupt law were the principal questions debated.⁶³ Early in the campaign a group of Memphis Whigs submitted to each of the two candidates a set of questions. Jones replied at once. He favored a "National Bank," but was not fully satisfied with Clay's bill that had been vetoed by Tyler. He believed in a tariff for revenue, with incidental protection to home industries, and he advocated an elastic currency system.⁶⁴

In answer to the same questions Polk stated his belief in the sub-treasury system, and in metal money for the nation supplemented by a limited supply of paper money issued by the state banks. He favored

⁶⁰Eugene I. McCormac, *James K. Polk, A Political Biography* (Berkeley, 1922), 204.

⁶¹*American Eagle*, July 1, 1843.

⁶²*Ibid.*, April 28, 1843.

⁶³Thomas J. Campbell to Clay, May 17, 1843, Papers of John J. Crittenden, IX (Manuscript Division, Library of Congress).

⁶⁴*American Eagle*, May 5, 1843.

a tariff for revenue only and opposed the distribution of public land revenue.⁶⁵

The national bankrupt law came in for an extended discussion. The Whigs generally favored it with the Democrats in opposition.⁶⁶ The Whigs listed it as one of the principal issues, along with the tariff and the bank. "Parson" Brownlow had long been an advocate of such a measure and now even went to the extent of finding a scriptural justification for it. It was probably Brownlow who brought the Whigs over to the support of the law.⁶⁷

Jones won in the August elections by a majority of 3,833 votes, which was a slight increase over his majority in 1841.⁶⁸ The distribution of the votes by counties was practically the same as in previous contests. The Whigs also elected a majority of both houses of the legislature, and thereby destroyed the power of the "Immortal Thirteen."⁶⁹

The Democrats attributed the defeat to local issues. The state bank, the *Union* declared, was "artfully" brought into the campaign and the course of the Democrats in refusing to permit an investigation of the bank had been "shamefully misrepresented." The editor also stated that the Whigs had unjustly placed the blame for the failure to elect United States senators upon the shoulders of the Democrats.⁷⁰

The Whigs stressed both national and local issues as the reason for their victory. According to Brownlow, the activities of the "Immortal Thirteen," and the fact that the people were coming around to support a "National Bank" caused the downfall of the Democrats.⁷¹ The Nashville *Republican-Banner* regarded the victory as proof that Tennessee was now thoroughly a Whig state. Tennessee, it declared, would be hailed throughout the Union with a loud and enthusiastic acclaim as a "Whig State—a National Bank State, a tariff State, a Clay State."⁷²

⁶⁵Address of ex-Governor Polk to the series of interrogatories propounded to him and Governor Jones, through the presses of Memphis, May 15, 1843, Polk Papers, LIV.

⁶⁶The Tennessee Whigs changed their attitude toward this bill in 1843. In 1842 every Tennessee Whig in Congress voted to repeal the law. See *Congressional Globe*, 27 Cong., 2 Sess., XI, 140.

⁶⁷Brownlow in the Jonesboro *Whig*, August 10, 1842, declared, "The doctrine of forgiving debtors was a part of the religion of the Old Testament. . . . The truth is that the 15th chapter of the book of Deuteronomy is nothing more or less than the Jewish Bankrupt law, differing only in phraseology from the present law of Congress." In June, 1841, Brownlow started his campaign for the bankrupt law, and lamented the fact that the Whig press in Tennessee was silent on the subject. Jonesboro *Whig*, June 16, 1841.

⁶⁸*Tribune Almanac*, 1844.

⁶⁹*Ibid.*

⁷⁰Nashville *Union*, August 8, 1843.

⁷¹W. G. Brownlow, *A Political Register* (Jonesboro, 1844), 204.

⁷²Nashville *Republican-Banner*, August 11, 1843.

While it is probably true that the Tennessee Whigs were thoroughly loyal to the national party, the evidence shows that the election turned more on local than on national issues. It was the course of the "Immortal Thirteen" that turned the people against the Democrats. Polk, by his association with and defense of that group, brought about, to a great extent, his own defeat.

The new legislature met in October, 1843, and it immediately turned its attention to the election of senators. As the Whigs had a clear majority in both houses, there was no question as to the political affiliation of the senators to be chosen. On October 17 Ephraim H. Foster was elected to fill Felix Grundy's unexpired term and Spencer Jarnagin to succeed Alexander Anderson, whose term had expired in 1841. Tennessee was now, for the first time in two years, represented in the Senate of the United States. The people had repudiated James K. Polk and the "Immortal Thirteen."

BRANCH BANKING IN TENNESSEE PRIOR TO THE CIVIL WAR

By CLAUDE A. CAMPBELL

Branch banking enjoyed a considerable development in the United States before the Civil War. The First and Second Banks of the United States as well as a number of state banks, particularly in the South and West, maintained branches.

Prior to the passage of the National Bank Act of 1863, all banks in the United States, with the exception of the Bank of North America, and the First and Second Banks of the United States, were established under state charters. In general the absence of a uniform system of chartering banks together with the significant fact that public opinion was not aroused to the commercial and financial needs of the time created a state of serious confusion in the commercial banking system that prevailed during this period. In addition, the lack of public regulation of banking led to innumerable frauds and miscalculations.¹ In numerous instances the respective states owned all or part of the capital stock in many of the banks which they chartered. Banks of this kind in Tennessee, like their prototypes in most other states, were subject to political abuses.²

Many of the banks chartered by the various states followed the example of the First and Second Banks of the United States and established branches. The practice of branch banking was widespread in Tennessee. All of the banks in which the state owned stock maintained branches. In some cases the state granted to private banks which it chartered permission to maintain branches. In other cases it provided that the banks themselves might be converted into branches of designated institutions.

When Tennessee entered the Union in 1796 there was very little available currency in the new commonwealth.³ Along with the demand for an adequate medium of exchange with which to meet the growing needs of trade and commerce during Tennessee's early years of statehood, there developed an increasing need for a banking institution.⁴ The problems of currency and banking were closely tied up with those of democracy itself. The people who participated in the growing trade of the state urged that the legislature establish a state bank. Although the legislature did not establish a state bank at this juncture, it answered

¹C. A. Campbell, *The Development of Banking in Tennessee* (Tuscaloosa, 1932), 96.

²The State Bank of Indiana, in which the state owned stock from 1834 to 1859, is a notable exception. See Horace White, *Money and Banking* (Revised and enlarged by C. S. Tippetts and Lewis A. Froman, New York, 1935), 461-465.

³John Haywood, *Civil and Political History of Tennessee* (Nashville, 1890), 163.

⁴J. R. Gilmore, *John Sevier as a Commonwealth Builder* (New York, 1887), 40.

the crying need of the time by passing a law in 1807 which established the Bank of Nashville, the first banking institution in the state.⁵ The state, however, subscribed for none of the stock in this bank. The influence of the bitter opposition of a group which held out for a branch of the First Bank of the United States rather than for a state chartered bank caused the legislature to limit the charter of the Bank of Nashville to January 1, 1818. Furthermore, those who favored the idea of a United States bank were able to have the amount of its capital stock restricted to \$200,000 to be sold in shares of \$50 each and to have it stipulated that the bank's assets should at no time exceed \$400,000 inclusive of its paid up capital. Nevertheless, the Bank of Nashville proved so helpful in furthering the financial development of the state of Tennessee that the legislature passed an act on November 11, 1811, extending its charter to January, 1828, and in 1813 it extended the charter to 1838.⁶

The opponents of this bank succeeded in influencing the state legislature not to allow it to establish any branches in any section of the state. Branch banking at this particular time, however, did not become a point at issue because the proponents of the bank were primarily interested in getting it established and in operation and only incidentally concerned with the question of its having branches.

Branch banking in Tennessee originated on November 20, 1811, when the legislature chartered the first Bank of Tennessee, which was the first banking institution in the state to establish branches.⁷ The parent bank was located at Knoxville and its branches at Jonesboro, Clarksville, Columbia, and Nashville.⁸ The board of directors of the parent bank was given the power to establish branches in any part of the state and to use whatever portion of the capital stock of the parent bank it deemed prudent for each. It therefore seems to have chosen the location of these branches largely for economic rather than political reasons.

The charter of the Bank of the State of Tennessee of 1811 provided that the capital stock should not exceed \$400,000, divided into shares of \$50 each. The state's interest was only \$20,000 and it reserved the right to withdraw it in ten years.⁹

⁵*Public Acts of the State of Tennessee, 1807-1808*, ch. CIII, in Edward Scott, *Laws of Tennessee, 1715-1829*, I, Pt. II, 1082-1091.

⁶*Public Acts, 1811*, ch. III, p. 69; *ibid.*, 1813, ch. LXXXII, p. 148.

⁷*Ibid.*, 1811, ch. LXXXIX, pp. 43-54.

⁸Section 17 of the act of November 11, 1811, chartering the first Bank of Tennessee, limited the lifetime of this institution to thirty years. Section 20 of this act stated that the Bank of Nashville might become a branch of that institution. The Nashville Bank, however, never saw fit to avail itself of this opportunity. Campbell, *op. cit.*, 32.

The state bank of 1811 and its branches flourished until 1827 under the efficient management of its able president,¹⁰ Hugh L. White, and an alert board of directors. At that time, Whites' resignation to enter the United States Senate and continued slender trade caused the closure of the branches and shortly thereafter, in 1828, of the parent institution.¹¹ The question of unsound financial practices was apparently not a factor.

Meanwhile, in the years immediately following the War of 1812, the opening up of new lands, the spread of the culture of upland cotton, which commanded a high price at that time,¹² and the exploitation of steamboat navigation, which began in Tennessee in 1818, were factors that contributed to bring about a period of expansion and speculation which lasted until 1819.¹³ The increased trade which developed during this period created new demands for banks. The agitation for internal improvements was likewise a contributing factor in causing the state legislature to establish a number of unit banks.

On November 17, 1815, therefore, the state legislature, in order to satisfy the financial demands of the times, passed an act incorporating the Holston Bank at Jonesboro, the Fayetteville Tennessee Bank at Fayetteville, and the Franklin Tennessee Bank at Franklin.¹⁴ The act chartering these unit banks provided for the capital stock of each to be \$200,000, divided into shares of \$50 each.¹⁵ These banks were not allowed to establish any branches but they themselves could become branches of the Bank of Tennessee of 1811 if they so desired.

In 1817 the legislature passed a general banking act establishing other state unit banks at Gallatin, Carthage, Rogersville, Nashville, Kingston, Columbia, Maryville, Shelbyville, Winchester, and Murfreesboro with a capital stock of \$400,000 each.¹⁶ These ten unit banks, like the three that the legislature had chartered in 1815, could not establish branches. The legislature, however, apparently attempted to provide

⁹*Public Acts*, 1811, ch. LXXIX, p. 53. The state never withdrew its interest.

¹⁰James Phelan, *History of Tennessee* (New York, 1888), 258. Phelan says that it was the conservative management of Hugh L. White which enabled the Bank of Tennessee at Knoxville to weather all of the financial storms which wrecked many southern and southwestern banks during the years following the War of 1812, particularly during the panic of 1819, and at all times to be able to redeem its notes in specie.

¹¹T. P. Abernethy, "The Early Development of Commerce and Banking in Tennessee," *The Mississippi Valley Historical Review*, XIV (December, 1927), 321.

¹²*Nashville Gazette*, October 29, 1820; *Atlas of American Agriculture*, 1918. Pt. V, Sec. A, 20.

¹³J. T. Moore and A. P. Foster, *Tennessee, The Volunteer State* (Nashville, 1923), II, 85.

¹⁴*Public Acts*, 1815, ch. CXVIII, pp. 253-263.

¹⁵The capital stock of all unit banks chartered by the state prior to the Civil War was privately owned.

¹⁶*Public Acts*, 1817, ch. CXLVI, pp. 414-418.

for a uniform state banking system in the general banking law of 1817 by permitting the "new petty banks"¹⁷ to become branches of either the Bank of Nashville or the first Bank of Tennessee. None of the unit banks, however, chose to become branches of the first Bank of Tennessee of 1811.

The first bank established in Tennessee, the Bank of Nashville, although it had originally had no branches, by virtue of the general banking act of 1817 became the second bank in the state which the legislature allowed to have branches. Some of the state unit banks availed themselves of the opportunity of becoming branches of the Bank of Nashville; others found it more profitable to remain state unit banks.

According to the provisions of the act of 1817 the board of directors of the Bank of Nashville might accept the state unit banks at Gallatin, Carthage, Kingston, Shelbyville, Columbia, Winchester, Murfreesboro, Maryville, Nashville, and Rogersville as branches, if these latter banks so desired. The banks at Carthage, Kingston, Nashville, Maryville, and Columbia found it more profitable to be independent state banks. Consequently, the boards of directors of these five banks decided not to have their banks become branches of the Bank of Nashville. On the other hand, the banks at Shelbyville, Murfreesboro, Rogersville, Winchester, and Gallatin took advantage of the opportunity and became branches of the Bank of Nashville, after the latter bank had consented to accept them as such.¹⁸ Under this authorization these state banks did not give up any of their capital, which was \$400,000 each divided into \$50 shares. The board of directors of the Bank of Nashville had the power, with the consent of their respective boards of directors, to close these branches.

The Bank of Nashville and its branches carried on a successful banking policy until 1821. After that time the parent bank and its branches began to overissue notes in the hope of making a larger amount of profit just as the country was recovering from the effects of the panic of 1819. As a result of the continuation of this policy and the cut-throat competition in banking induced by an oversupply of banks and branches in the state in the years following 1820, the parent Bank of Nashville and its branches failed in 1826.¹⁹ The failure of this bank and its branches, therefore, it seems, was not due primarily to the operation of branch banking, but to the fact that the principles of sound branch banking were abused.

¹⁷Nashville *Whig*, March 4, 1818. The term "new petty banks" refers to the unit state banks that the state legislature established in Tennessee in 1815 and in 1817 following the War of 1812.

¹⁸John Wooldridge (ed.), *History of Nashville, Tennessee* (Nashville, 1890), 263.

¹⁹The state legislature had established a second Bank of Tennessee in 1820 at Nashville with a branch at Knoxville. *Infra*, 8.

Meanwhile, the state legislature, in spite of the vigorous protest which marked Andrew Jackson's first active participation in state politics for some time and the remonstrances of other substantial citizens, passed the act which established the second Bank of the State of Tennessee at Nashville on July 25, 1820. The president and directors, selected by joint ballot of the two houses of the legislature, were to put the bank into operation by October 15, 1820. The act provided that the bank should continue in existence until July 1, 1843. It had an authorized capital stock of \$1,000,000, four tenths of this amount being allocated to the branch at Knoxville. The entire amount of the capital stock was warranted by the state on the proceeds of the sale of its unappropriated lands and its lands south of the French Broad and Holston rivers and from the ordinary revenues of the state "not otherwise appropriated." This institution, with its one branch located at Knoxville, became the third bank that the legislature allowed to have branches.²⁰

The act chartering this bank originally appeared in the form of a "Loan Office" bill.²¹ Notwithstanding the fact that the institution finally came into existence as a bank rather than a loan office, its chief object was the relief of distressed economic conditions. Increasing the state's revenues and providing additional facilities for carrying on its fiscal operations were incidental to this purpose.

The bank went into operation in the midst of a general suspension of specie payments.²² The legislature had therefore made its bills payable not only for state and county taxes but also for all interest payments on lands purchased from colleges and academies to which the state had granted them. Furthermore, it allowed stays of execution on debts for a period of two years if creditors refused to accept the bank's currency in payment for them.²³

By the time when the bank and its branch went into operation a marked improvement in general economic conditions was under way. Moreover, during the earliest part of their existence they prospered under sound and careful management. Not long afterward, however, the officials of both the bank and its branch began an unsound policy of speculating with the funds of their depositors. They made many bad loans during the orgy of speculation in the early 1820's. Consequently, this bank and its branch failed to fulfill the need for which the legislature

²⁰*Public Acts*, 1820, chs. VII and VIII, pp. 619-626. Although the bank's charter made it possible for the Bank of Nashville and the Bank of Tennessee established in 1811 to consolidate with it, these concerns did not avail themselves of the opportunity offered.

²¹Phelan, *op. cit.*, 263.

²²St. George L. Sioussat, "Some Phases of Tennessee Politics in the Jackson Period," *American Historical Review*, XIV (1908-1909), 61.

²³*Public Acts*, 1820, chs. VII and VIII, pp. 619-626.

had created them. In 1830 a legislative investigating committee disclosed gross irregularities on the part of both the parent and its branch. The loss to the state was equal at least to the interest on the money which it had invested.²⁴ Their liquidation in 1833, therefore, was apparently due not to the failure of branch banking itself but rather to the dishonesty of their officials.

The branch bank of the Second Bank of the United States which was established in Nashville in 1827 helped to take care of the demands for additional banking facilities which had been caused by the liquidation of the Bank of Nashville and its branches in 1826.²⁵ This bank, the private bank of Yeatman, Woods and Company,²⁶ at Nashville, and numerous other private unit banks, tended partially to supply the banking needs of the state in the early 1830's when the defalcation of the cashier of the second Bank of Tennessee forced that institution into liquidation. The days of the business activity of the branch of the Second Bank of the United States, however, were numbered after President Jackson on July 10, 1832, vetoed the bill rechartering the Bank of the United States.

Almost immediately thereafter on account of the prospect of the severe curtailment of the state's banking facilities, certain leaders in Nashville and elsewhere began to discuss the question of establishing another state bank. After much agitation on the part of the people from a great many sections of the state for better banking facilities, the state legislature chartered the "Union Bank of the State of Tennessee,"²⁷ the fourth bank in the state to have branches, on October 18, 1832.

The charter provided that the state should subscribe for \$500,000²⁸ of the \$3,000,000 capital stock of this bank. It stipulated further that the president and directors of the parent bank should establish branches in each of the three grand divisions of the state, the branch in Middle Tennessee to be located in Columbia. The bank's officials subsequently established the branches in East and West Tennessee at Knoxville and

²⁴For discussions concerning the losses of this defunct bank see *House Journal of the State of Tennessee*, 1831, pp. 8-10; *ibid.*, Appendix, 28; *ibid.*, 1833, pp. 186-189; Woolridge, *op. cit.*, 275, 277.

²⁵Campbell, *op. cit.*, 53-54.

²⁶Since this institution came into existence prior to the passage of the law prohibiting private or unchartered banking in 1827, it operated under the common law right in the absence of statutory restriction. R. L. Caruthers and A. O. P. Nicholson (comps.), *Compilation of the Statutes of Tennessee* (Nashville, 1836), 121-122; Samuel C. Williams, *Annotated Code of Tennessee* (Indianapolis, 1934), IV, 321, Sec. 5916.

²⁷*Public Acts*, 1832, ch. II, pp. 2-13. Section 27 of the act chartering the Union Bank repealed the act of December 20, 1831, entitled an "Act to incorporate the subscribers to the bank of Tennessee." This bank, had it come into existence, would have been the third Bank of Tennessee.

²⁸The issue of bonds in payment for this stock marks the beginning of the state debt.

Jackson, respectively.²⁹ The capital stock of the branches was included in the capitalization of the parent institution.

The Union Bank began operation at Nashville on March 4, 1833.³⁰ This parent institution and its branches continued to serve the people of the state efficiently from the date of their establishment until the beginning of the Civil War.

Meanwhile, in order further to increase the banking facilities of the state to meet the needs of business expansion the legislature established the Planters' Bank, the fifth bank in Tennessee to have branches,³¹ on November 15, 1833. The capital stock of this bank was \$2,000,000 and the state subscribed one fourth of this amount. The legislature gave the board of directors of the parent bank at Nashville the full power of establishing and closing its branches with the exception of requiring the board of directors of the parent bank at Nashville the full power of capital stock of \$200,000 each. The board of directors apparently established the other three branches of this bank more for economic rather than for political reasons at Franklin, Clarksville, and LaGrange. From the time of their establishment until the outbreak of the Civil War this parent bank and its branches were among the leading financial institutions of the state. Much of the success of this institution from 1833 to 1861, was due, no doubt, to the sound banking practices to which its officials adhered.

On November 27, 1833, the Tennessee legislature established the Farmers' and Merchants' Bank at Memphis as the sixth bank in the state with branches. The capital stock of this institution could not exceed \$600,000. Its charter made the establishment of a branch at Paris mandatory if one third of the capital stock of the institution should be subscribed in the twelfth congressional district. The capital of this branch was always to be equal at least to one third of the actual paid in capital stock of the bank. In addition, the charter provided that there might be a branch at Fayetteville.³²

In 1847 the Farmers' and Merchants' Bank suspended specie payment and almost immediately thereafter became involved in litigation. As a matter of course it was unable to function normally under these conditions. In 1852 the legislature granted this institution permission to resume full banking operations upon the payment of a certain bonus

²⁹*House Journal*, 1837-1838, p. 661.

³⁰*Ibid.*, 1833, pp. 356, 374-376. Message of Governor William Carroll to the legislature, September 16, 1863, *Nashville Republican and State Gazette*, September 17, 1833.

³¹*Public Acts*, 1833, ch. XXXIV, pp. 30-42.

³²*Ibid.*, ch. LIV, pp. 60-66.

due to the state.³³ The branch at Paris, however, never reopened. The fact that this institution was "broken and worthless" shortly after the outbreak of the Civil War³⁴ seems to indicate that it had never again become especially strong after its difficulties in 1847.

On January 19, 1838, the legislature chartered the third Bank of Tennessee,³⁵ which proved to be the state's last as well as its largest venture in the business of banking. This bank was the seventh and likewise, it seems, the last bank chartered by the state prior to the Civil War which actually carried on branch banking.³⁶

The third Bank of Tennessee was capitalized at \$5,000,000 with the state as sole owner. However, the legislature subsequently found it necessary to reduce this amount to \$3,500,000 because of the inability of the governor to market sufficient state bonds to secure the remaining \$1,500,000.³⁷ At first, each of the seven original branches was to have had a capital stock of \$400,000.³⁸ This was later substantially reduced, however, in line with the reduction of the capital stock of the parent bank.

The legislature provided that Nashville should be the site of the parent bank of the Bank of Tennessee and that there should be three branches in Middle Tennessee and two each in East and West Tennessee. The law creating the bank presented difficulties which left it almost impossible for the directors to determine upon what principle the legislature had intended that they should select the locations of the branch banks.³⁹ On the one hand, it seemed that the legislature had intended the bank as a relief measure, and had especially designed it for the accommodation of the citizens at large, having directed officials to distribute its loans as equally as practicable and, of course, to locate its branches at points most convenient for this purpose.⁴⁰ On the other hand, it had apparently desired equally that the bank create and sustain a sound currency, aid in the export and sale of the produce of the country, furnish the necessary exchanges, and particularly encourage and promote education and internal improvements by making large dividends.⁴¹ The directors could accomplish these things only by selecting the most prosperous commercial points as sites of the proposed branches.

³³*Public Acts*, 1851-1852, ch. CCL, pp. 408-409.

³⁴*Knoxville Whig*, July 27, 1861.

³⁵*Public Acts*, 1837-1838, ch. CVII, pp. 153-156.

³⁶Although the legislature later granted several charters giving the privilege of establishing banks which might have branches, the writer has found no evidence of the creation of any branches.

³⁷*Public Acts*, 1839-1840, ch. LXXV, pp. 157-158.

³⁸*Ibid.*, 1837-1838, ch. CVII, pp. 153-156.

³⁹*House Journal*, 1839-1840, Appendix, 845-846.

⁴⁰*Ibid.*

⁴¹C. A. Campbell, "Banking and Finance During the Depression of 1837," *East Tennessee Historical Society's Publications*, No. 9 (Knoxville, 1937), 28.

Added to the difficulty of determining the basis upon which the assembly had intended that the directors should act in establishing the bank's branches, however, was that of reconciling the conflicting opinions that naturally prevailed among the twelve directors themselves upon the subject. They represented different sections of the country and were therefore quite naturally subject to widely varied local influences. At least thirty-five different places in the state sent petitions to the legislature asking that branches of the bank be located in their midst.⁴²

The board of directors did not select the locations of the branches of the third Bank of Tennessee immediately after enactment of the bill chartering that institution on January 9, 1838. On May 15 of that year, however, after a careful examination of all the petitions, representations, statistics, and other information which they had obtained, the directors of the parent bank selected Rogersville, Athens, Shelbyville, Columbia, Clarksville, Trenton, and Somerville as sites for the branches and appointed local directors who put these banks into operation as speedily as possible.⁴³

Both economic and political considerations apparently entered into the selection of the locations of the branches of the third Bank of Tennessee. The branches at Rogersville, Somerville, Trenton, and Shelbyville doubtless supplied financial needs. In view of the fact that there were already branches of the Planters' Bank at Athens and Clarksville and that there was a branch of the Union Bank at Columbia, it seems most unlikely that there were valid economic reasons for locating branches of the Bank of Tennessee at these places. Their establishment,

⁴²Typical of these petitions is the one from Fayetteville which was never able to secure a branch of the bank. This petition, as did many others, came to the legislature while the act chartering the bank was still before that body:

"January 10, 1838.

"To the honorable Legislature of the State of Tennessee.

"Your petitioners citizens of the town of Fayetteville in the County of Lincoln, would respectfully invite your attention to the claims of this town when you are selecting suitable places for the establishment of Branches of the new State Bank. We would respectfully represent to your honourable body that our town is most eligibly situated for the location of such an institution, being surrounded by a rich and fertile country, possessed of many facilities for commerce, manufactures and agriculture, and from the contiguity of our country to the rich valley of the Tennessee we invoke the aid of the Legislature towards enabling us and our fellow citizens to develop the immense resources of our country.

"In conclusion we would respectfully represent to your honourable body that there is no portion of the state that is better prepared to sustain such an institution as the one asked for in view of the wide Circulation of the notes of such could soon attain in this and our neighboring state, we hope these reflections will not be overlooked, and your memorialists will ever pray."

This petition bore the signatures of seventy-four individuals, who resided in or near Fayetteville. Unpublished legislative petitions, Land Office, Department of Archives, War Memorial Building, Nashville.

⁴³*Public Acts, 1837-1838*, ch. CVII, p. 161; *House Journal, 1839-1840*, pp. 845-846.

it seems, was probably a political measure of the board of directors designed to strengthen the position of the Whig party.

When the political complexion of the administration of the state changed in 1839, the Democratic governor, James K. Polk, however, appointed a majority of Democrats to the board of directors of the parent bank and thus modified its policy. In 1840 these directors succeeded in persuading the legislature to pass a law chartering an eighth branch of the bank at Sparta which they at once put into operation. The capital stock was to be drawn proportionately from the parent bank at Nashville and the branches in Middle Tennessee.⁴⁴ It was not until 1859 that another predominantly Democratic board of directors established the branches at Memphis and Knoxville⁴⁵ to provide needed banking facilities after the liquidation of numerous free banks and perhaps incidentally to strengthen the Democratic party. The capital stock of these branches was \$250,000 and \$150,000, respectively. Thus, the third Bank of Tennessee had a total of ten branches.

The location of the branches, of course, were never entirely satisfactory either to the directors or to the public. Frequent discussions on the subject during numerous sessions of the legislature and in many gubernatorial campaigns are evidence that some dissatisfaction on this point existed throughout the life of the bank. Nevertheless, only the branches at Clarksville, Athens, and Columbia were ever in difficulty. Each of these went through periods of liquidation but in every case the legislature rechartered them before their affairs were finally wound up.⁴⁶

The branch banking system of the third Bank of Tennessee was never given a fair trial. The bank and its branches were apparently a part of the spoils of whichever political party happened to get control of the state government. In general, throughout the lifetime of the bank those in control seemed to be willing to sacrifice sound principles of banking for the sake of strengthening the position of one party or the other. There were too many branches and too many officials in each branch. The amount of the capital stock of the bank and its branches varied from time to time. Finally, the fixed charges for aid to the common school system and internal improvements which the legislature had imposed upon the bank in its charter were so burdensome as to prevent its profitable operation.⁴⁷

During the decades of the forties and fifties the legislature, sometimes dominated by Democrats and sometimes by Whigs, was appar-

⁴⁴*Public Acts*, 1839-1840, ch. LXIX, p. 152.

⁴⁵*Ibid.*, 1857-1858, ch. LXXIII, pp. 82-83.

⁴⁶*Ibid.*, 1845-1846, ch. CXXXI, pp. 206-207; *ibid.*, 1847-1848, ch. CXLI, pp. 223-224; *ibid.*, 1849-1850, ch. CCXII, pp. 417-418; *ibid.*, 1851-1852, ch. CCXIV, pp. 593-594.

⁴⁷*Ibid.*, 1837-1838, ch. CVII, pp. 153-156.

ently not unfriendly to branch banking. At any rate, it granted several charters permitting the establishment of banks with branches.⁴⁸ The passage of the law creating the free banking system or bond system of 1852 apparently had no effect upon the branch banking system of the state. Its purpose was rather to integrate and regulate the business of private unit banking.

The legislature passed acts providing for the regulation of banking on both January 25, 1858, and February 6, 1860. These measures, though not designed primarily to regulate branch banking, tended incidentally to make the system sounder.⁴⁹ Thus, the branch banking structure of the state seemed to be on a relatively satisfactory basis upon the outbreak of the Civil War.

The effect of the Civil War upon branch banking in Tennessee was so disastrous as to bring about its temporary destruction. Very soon after the fall of Fort Sumter Governor Harris forced the Union and Planters' banks, which he regarded as "integral parts of the State, and bound to render the State financial assistance," to cooperate with the Bank of Tennessee in financing the military preparation of the state through the purchase of war bonds.⁵⁰

None of the parent banks and their branches in Tennessee were ever in a strong financial position after their original purchase of state war bonds. Both the Union and Planters' banks tried unsuccessfully to surrender their charters and go into voluntary liquidation prior to the close of the war. It was not until July, 1865, however, after the passage of an act by the legislature permitting all stock banks to surrender their charters upon certain specified conditions,⁵¹ that these institutions were able to give up their charters, make assignments of their effects, and place their assets in the hands of receivers.⁵² During the course of the war the Bank of Tennessee in particular had a somewhat tempestuous existence and its affairs were in a chaotic condition at its close. Consequently, in 1866 the reconstruction legislature passed an act providing for its gradual liquidation and its affairs were eventually wound up.⁵³ Shortly after the close of the war, therefore, branch banking temporarily came to an end in Tennessee.

⁴⁸*Public Acts*, 1839-1840 to 1859-1860, *passim*.

⁴⁹*Ibid.*, 1857-1858, ch. XXV, pp. 27-31; *ibid.*, 1859-1860, ch. XXVII, pp. 17-24.

⁵⁰*Ibid.*, 1861 (second extraordinary session), ch. III, pp. 23-24; Original Bills, Pleadings, and Depositions in cases 1949 and 1950, Archives of the Federal Court, Old Post Office, Nashville.

⁵¹*Public Acts*, 1865, ch. XXVI, pp. 46-47.

⁵²*Senate Journal of the State of Tennessee*, 1865-1866, Appendix, 77.

⁵³*Public Acts*, 1866, XXVIII, pp. 37-39; Original Bills of Case Number 4587, State of Tennessee and S. Watson, Trustee, vs. President and Board of Directors of Bank of Tennessee, and others, Clerk and Master's Office, Chancery Court, Courthouse, Nashville. See also 5 Baxter, 1-566.

Certain weaknesses in branch banking as practiced in Tennessee apparently accounted for the major portion of its failures. There was seemingly never any effort systematically to determine what the banking needs of the state really were. In some cases careful economic surveys concerning the financial needs of the various localities did not precede the establishment of branches. Directors of parent banks were often unable to locate branches entirely for sound economic or business reasons. Sometimes, especially in the case of banks in which the state was a partial or sole stock owner, they had not only to establish but also to maintain branches for almost purely political reasons. There were, of course, instances of mismanagement on the part of both parent banks and branches.

Branch banking in Tennessee was neither an unqualified success nor a complete failure. This was due in part to general economic and political conditions over which those entrusted with the management of the branch banking systems had no control. It was attributable in a large measure, however, to their unwise action. Thus, it was apparently the violation of the principles of sound branch banking and not the system itself which caused difficulty.

Unsound theories concerning money and the purpose and functions of banks in general frequently influenced the creation and operation of branch banking systems as well as of unit banks. National economic and political conditions often adversely affected both banking in general and branch banking in particular. Branch banking, like all banking in fact, was in an experimental stage. The outbreak of the Civil War prevented the testing of certain recently enacted and far-reaching reforms in the entire banking structure. At the end of the war branch banking ceased temporarily to exist in the state.

The development of branch banking in Tennessee before the Civil War roughly paralleled its development in other states. It was characterized by the predominance of banks partially or completely owned by the state, all of which operated branches. Branch banking, like unit banking, evolved through a process of experimental changes in response to the varying needs of agriculture, commerce, industry, and government. At no time between the chartering of the first Bank of Tennessee in 1811 and the final liquidation of the Union and Planters' banks and the Bank of Tennessee of 1838 was Tennessee entirely without a bank having branches. Branch banking facilities were greatest in the years between 1820 and 1826 and between 1838 and 1861, having reached their culmination with the creation of the Bank of Tennessee in 1838. The statewide distribution of branch banks was indicative of the attempt

of the officials of the parent banks to supply the banking needs of the various sections. Although there was some doubt as to the wisdom of the state's active participation in the business of branch banking, there was apparently little dispute concerning the desirability of branch banking itself.

THE FREEDMEN'S BUREAU IN TENNESSEE

By WEYMOUTH T. JORDAN

During the Civil War the condition of the Negroes in Tennessee, as well as in all parts of the Confederacy, presented new and acute problems. As slaves they had been a constant worry to owners and statesmen. During and after the war, especially after emancipation, they became a still greater source of trouble. It gradually dawned on them that they were free, and they seemed to believe that their former owners' land had been turned over to them. This idea was fostered by Union soldiers and agents, who told them to continue living at their plantation homes, but not to work. Some followed this advice, but other thousands left to follow Union columns and to roam. Many of the more industrious found jobs, but the majority became discontented, hungry, and unhappy. Those who were either too lazy to work or could not find jobs poured into the Federal lines. They went out of curiosity, for protection, and to fill their stomachs, most of them "as helpless as a dog without his master."¹

The plight of the Negro became so deplorable and pressing that a number of generals, of both the Federal and Confederate armies, set up concentration camps to help alleviate his condition. This palliative was begun even before emancipation. General Grant was particularly active in this respect in Tennessee. In November, 1862, he appointed Chaplain John Eaton, Jr., as superintendent of Negro affairs in the Tennessee department of the United States army. Eaton was instrumental in establishing several camps for his charges in the state. Quarters were erected for them at Clarksville, where two large buildings were put up, affording room for from one hundred to two hundred weekly. Barracks were also constructed especially for Negroes at Camp Shiloh, near Memphis, and at Nashville. Any Negro who wished could come to these camps and live at the expense of the Federal government until employment was found.² Later, in August, 1863, this program was extended when Grant ordered all military posts within his department, which included Tennessee, to establish camps for unemployed Negroes. In a further effort to provide for the Negro, and, possibly of more importance, to fill the depleted ranks of the Federal armies, the United States war department sent an agent into Tennessee in Septem-

¹Lyman Abbott, *Reminiscences* (New York, 1915), 234.

²*Ibid.*, 247; *Personal Memoirs of U. S. Grant* (New York, 1909), I, 352-355; Walter Lynwood Fleming, *Documents Relating to Reconstruction* (Morgantown, West Virginia, 1904), No. 6, p. 3; *Freedman's Saving and Trust Company* (Chapel Hill, 1927), 6-7; *The American Annual Cyclopaedia and Register of Important Events* (New York, 1861-1901), 1863, pp. 428-429. The last source is cited hereafter as *Annual Cyclopaedia*.

ber, 1863, to recruit Negro troops in the state. The result of this work was the recruitment of six regular and two each of garrison and hospital regiments.³ Few Negroes went into the Confederate armies in Tennessee, although as early as 1861 Governor Isham G. Harris was given authority by the state General Assembly to receive "free persons of color" into the service to act as flunkies. Those few who were accepted were paid eight dollars a month.⁴

Other groups than the military leaders also took an active interest in the destitute Negroes during the war. Among these were Northern benevolent societies, of which the most enterprising in Tennessee were the Christian Commission and the Sanitary Commission. Relief was also rendered to the Negroes by various Northern churches, most of which established freedmen's departments. In this effort the Protestant churches were most active.⁵ Moreover, the Federal department of the treasury, which controlled confiscated property in the South during the war and before the Radical Republicans placed such lands under the direction of the department of war, turned over much land to army leaders who in turn erected Negro camps on it.⁶

Despite the many activities of the various agencies interested in ameliorating the conditions of the Negroes in Tennessee, these conditions got into a lamentable plight during the war. In June, 1864, the United States Senate appointed a special commission of two members to investigate and report on Negro affairs in the state. On completing its inquiry, the commission reported that Tennessee, and especially the Negro camp at Nashville, had become "wholly destitute of anything tending to the reasonable comfort of its most unfortunate inmates."⁷ No immediate action was taken on this report, however, and on May 18, 1865, the Christian Commission called a convention at Chattanooga to decide on methods of administering relief to Tennessee Negroes. The important accomplishment of the convention was the appointment of a committee of eight members to study conditions and to recommend legislative steps to be taken by the General Assembly in behalf of the Negro.⁸ But, before this committee could act, the Bureau of Refugees, Freedmen and Abandoned Lands, commonly known as the Freedmen's

³*The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, 1880-1901), Series 3, III, 816; IV, 762.

⁴G. W. Williams, *A History of the Negro Troops in the War of Rebellion* (New York, 1888), 81-83.

⁵*Autobiography of Oliver Otis Howard* (New York, 1908), II, 196. Howard was chief commissioner of the Freedmen's Bureau.

⁶Fleming, *Documents Relating to Reconstruction*, No. 6, p. 3.

⁷*Senate Executive Documents*, 38 Cong., 2 Sess. (1864-1865), No. 28, p. 2.

⁸*Nashville Daily Press and Times*, May 26, 1865.

Bureau, was introduced into the state.⁹ For this reason the contemplated work of the committee sponsored by the Christian Commission was dropped.

The Bureau was given plenary powers over all abandoned Confederate lands, and the money received from rentals was to be used in administering to the needs of freedmen, as well as white refugees of the South. It was destined to be considered one of the most unscrupulous and powerful political machines ever developed in the United States. At the same time, however, many of its activities were beyond reproach. If its agents happened to be discreet and self-respecting their influence was wholesome; if, on the other hand, as was so often the case, in Tennessee as well as in other Southern states, they were rascally and unprincipled, their control over the Negro turned out to be a curse both to ex-Confederates and the ex-slaves. The Bureau's success depended almost entirely upon the scruples and personalities of its agents, who had actual contacts with its charges. In this respect, Tennessee was more fortunate than most of the South in the choice of the men placed in charge of the Bureau, at least during the greater part of the period when the agency was active in the state.¹⁰ The first assistant-commissioner of the Bureau in Tennessee was Brigadier-General Clinton B. Fisk, of New York and Michigan. He was a native of New York and had grown up in Michigan, although at the outbreak of the Civil War he had been living near St. Louis, Missouri. He had recruited a regiment of Missouri volunteers, and after six months of service had advanced to the rank of brigadier-general. He was an ardent Methodist, and has been described as being free from the "bigotry and self-righteousness which characterized the vast majority of the northern missionaries who came into the South" during Reconstruction.¹¹ He had educated himself, was considered as a man of good reputation, and was later characterized as the "American Havelock . . . who could fight rebels, hang traitors, and hold prayer-meetings on the same day."¹²

⁹The Bureau was established by an act of Congress of March 3, 1865. *Congressional Globe*, 38 Cong., 2 Sess. (1864-1865), 1402.

¹⁰For purposes of administration and otherwise, the conquered South was divided into ten districts. At the head of each district was appointed not only a military general, but also an assistant-commissioner of the Bureau, who, in most cases, had served in the Federal army during the war. According to the original act establishing the Bureau, it was to cease operations one year after the close of the war. See P. S. Peirce, "The Freedmen's Bureau, A Chapter in the History of Reconstruction," (*Bulletin of the State University of Iowa*, New Series, No. 74, 1904), *passim*, for a general discussion of the activities of the Bureau.

¹¹James Welch Patton, *Unionism and Reconstruction in Tennessee* (Chapel Hill, 1934), 150. This interpretation is perhaps open to question.

¹²*New York Christian Advocate*, March 28, 1867. See also Alphonso Alva Hopkins, *Life of General Clinton B. Fisk* (New York, 1907): Fisk also was placed in charge of Bureau affairs in Kentucky.

Shortly after his arrival, on July 1, 1865,¹³ at his headquarters in Nashville, Fisk divided Tennessee into three districts for carrying on the work of his organization. Sub-assistant-commissioners were stationed in Nashville, in Memphis, and in Chattanooga.¹⁴ These sub-districts were then further divided by counties.¹⁵ Concerning his duties Fisk outlined them as follows:

. . . the promotion of productive industry, the settlement of those so lately slaves in homes of their own, with the guarantee of their absolute freedom and their right to justice before the law as set forth in the proclamations of the President and the laws of Congress, the dissemination of various intelligence, and to aid in permanently establishing peace and secure prosperity.¹⁶

He advised that local agents be chosen in all cases from citizens living in the county in which they were to work, and cautioned his subordinates not to exert too much supervision. He demanded also that the Negroes not be allowed to come short of their work. While he was in charge of the Bureau, Fisk usually dismissed those of his agents who mismanaged affairs, or failed to carry out his orders. At the same time, however, he made it a practice to appoint persons of Union sentiments as his assistants.¹⁷

Because of his zeal in carrying what he considered his duty, Fisk soon got himself into embarrassing situations in his new work. His first dispute was with the state legislature over the question of Negro testimony in the courts. As provided by federal law, the Bureau had been given authority over all litigations in which freedmen were not allowed civil equality with whites. On his arrival in Nashville, Fisk immediately began to set up courts under the direction of his Bureau. At this early date in Reconstruction, before the Radicals took over complete control, such an act naturally enraged both the ex-Confederates and the members of the state legislature. Accordingly, the Senate of the General Assembly, on October 19, 1865, passed a bill allowing Negro testimony in the state courts, thus hoping to remove the reason for the establishment of the Bureau courts.¹⁸ The bill, however, was held up by the lower house of the legislature until January, 1866, when it was finally passed.¹⁹ During the interval, in November, 1865, a case concerning a disputed contract of a Negro laborer was brought before the

¹³Nashville *Daily Press and Times*, October 18, 1865.

¹⁴In 1867 the sub-districts of Pulaski and Knoxville were added. *Report of the Secretary of War*, 1868, p. 1057.

¹⁵*Senate Executive Documents*, 39 Cong., 2 Sess. (1866-1867), No. 6, p. 127.

¹⁶Nashville *Daily Union*, July 29, 1865.

¹⁷*Ibid.*, September 8, 1865; Nashville *Daily Press and Times*, September 18, December 11, 1865; Nashville *Daily Union and American*, February 4, 15, July 14, 1866.

¹⁸Nashville *Daily Union*, September 7, 17, 1865; Nashville *Daily Press and Times*, October 20, 23, 1865.

¹⁹Nashville *Daily Union*, January 27, 1866.

Bureau court in Nashville. All the available witnesses were Negroes. In the case, the white man was admittedly in the right, but Fisk refused to allow the case to be adjudicated, advising the judge "to refer the white man to the legislature."²⁰ After this occurrence, Fisk lost caste with the Conservatives of the state, and even with some of those whites who were leaning toward radicalism. He added more embers to the fire by continuing the Bureau courts until May, 1866, even though Negroes had been granted admission to state courts in January of that year.²¹

Because of the incident over Negro testimony, Fisk attempted to resign from his post in November, 1865, but his request was refused by President Andrew Johnson. He became more and more dissatisfied with his work, but despite the unpleasantness of his situation and the open dislike of him displayed by the Conservatives, he remained in Nashville. On August 29, 1866, however, he received information that he would be mustered out of service on September 1.²² On the evening of the latter date he gave a farewell address to the citizens of Nashville at the state capitol building, and within a few days left for his home in St. Louis.²³

On Fisk's departure his duties were assumed temporarily by General J. R. Lewis, who had been serving as assistant-superintendent of the sub-district of Middle Tennessee. Lewis leaned definitely toward Radical principles, and he immediately began replacing some of Fisk's appointees in the Bureau with agents of more pronounced Union sentiments.²⁴ During his term as assistant-commissioner of Tennessee, however, comparatively little work had to be done by the Bureau. Crops had improved during 1866, and relations between Negro laborers and white farmers were excellent.²⁵ Also, in June, 1866, Kentucky had been detached from Fisk's district, and thus Lewis did not have to administer to that state. From the standpoint of Lewis, the establishment of Kentucky as a separate district was fortunate, for Fisk had been forced to spend much of his time in Kentucky in an attempt to quell outbreaks between Negroes and hot-tempered Kentuckians. Fisk had once described the Kentuckians as "the meanest, unsubjugated, and unreconstructed, rascally, rebellious revolutionists" that "curse the soil of the country."²⁶

²⁰Nashville *Daily Press and Times*, November 8, 1865.

²¹*Senate Executive Documents*, 39 Cong., 2 Sess. (1866-1867), No. 6, p. 665.

²²New York *Christian Advocate and Journal*, November 30, 1865; Nashville *Daily Union and American*, August 29, 1866; Nashville *Daily Press and Times*, November 23, December 18, 1865.

²³Nashville *Daily Union and American*, September 2, November 4, 1866.

²⁴*Ibid.*, September 6, 1866; Nashville *Daily Press and Times*, September 19, 27, 1866.

²⁵Nashville *Dispatch*, August 18, 1866; Nashville *Daily Union and American*, June 30, 1866; Nashville *Daily Press and Times*, October 27, 1866.

²⁶*Report of the Secretary of War*, 1867, p. 687; *Senate Executive Documents*, 39 Cong., 1 Sess. (1865-1866), No. 27, p. 3.

General Lewis remained in charge of the Bureau in Tennessee for only three months, and on January 1, 1867, was succeeded by Major General W. P. Carlin, of the 34th United States Cavalry. General Carlin had spent most of the Civil War period in the South, and knew conditions as they actually existed.²⁷ In his selection, Tennessee was again fortunate, for of all the men connected with the Bureau throughout the South he was probably one of the most humane and conscientious of the group, Radical though he did become. One of his first acts was to abolish the corrupt fee system by which Bureau agents had been paid in the state until he was placed in charge. Agents were now placed on regular salaries.²⁸ Another of his acts was to discharge numerous inefficient agents who had been appointed while General Lewis was in control of the Bureau.²⁹ By the time Carlin came to office, most of the philanthropic activities of the Bureau in the state were confined to Negro education. But, shortly after he came to Tennessee as assistant-commissioner, the state took over control of a majority of the Negro schools. Carlin necessarily began to curtail still further the activities of his organization.³⁰ There was so little for the Bureau to do during the fall of 1867 that General Grant, in December, 1867, advised that it be discontinued in Tennessee, and orders to that effect were received by Carlin in February, 1868.³¹ No further orders were received immediately, however, and actually the Bureau was not entirely abandoned in the state until May 1, 1869. Even after that date, Brevet-Major L. N. Clark remained for a short time in charge of the few Bureau schools which were left.³²

With this sketch of the organization and various persons in charge of the Bureau in Tennessee, it is now possible to turn to a discussion of the more specific activities of the organization in the state. Those activities were: relief to Negroes and whites; advancement of Negro education; and interference in state politics.

When the Bureau opened its first office in Tennessee it found over 300,000 Negroes for whom it had to provide.³³ The number of destitutes, white and black, in the state was enormous. Filth and offal filled the streets of Nashville, and the whole city needed renovating.³⁴ General Fisk's first act was to attend a convention of about four thousand

²⁷Nashville *Daily Press and Times*, January 24, 1867.

²⁸*Report of the Secretary of War*, 1867, pp. 687-688.

²⁹Nashville *Daily Press and Times*, January 21, February 7, March 12, September 18, 1867.

³⁰*Ibid.*, October 2, 1867; Patton, *op. cit.*, 161.

³¹Nashville *Daily Press and Times*, January 31, February 15, 1868.

³²*Ibid.*, April 27, 1869.

³³*Ibid.*, May 29, 1865. *Harper's Monthly Magazine*, February, 1867, p. 399, also states that there were over 300,000 Negroes in the state.

³⁴Nashville *Daily Union*, July 12, August 5, 1865.

Negroes in Nashville and to promise them aid in every way possible.³⁵ Shortly afterwards he had a census taken of Nashville, and found that in that city alone he had 10,744 Negroes to look after.³⁶ He also had about twenty-five thousand persons in Tennessee and Kentucky drawing rations through his office. Of this number, seventeen thousand were whites and eight thousand were Negroes. He immediately began an arbitrary curtailment of the number of rations issued. In Middle Tennessee, from July 21 to July 31, 1865, he reduced the number of rations by two thousand three hundred. Despite having promised to provide food for Negroes, he cut them off from rations entirely by September, 1865. This was done in order to force the Negroes to sign contracts with white farmers for the winter. Only three thousand one hundred whites were allowed to remain on the register, and after September even this number was decreased daily.³⁷

During the fall and winter of 1865-1866, improved economic conditions in Tennessee allowed Fisk to continue his program of curtailing the distribution of rations, and in December, 1865, rations valued at only \$620.23 were issued.³⁸ During the first half of the year 1866, economic conditions continued to improve, and on June 30, Fisk ordered that all rations be stopped except in cases of absolute necessity. Only orphans and aged Negroes were to be supported by the Bureau in the future.³⁹ In September, 1866, rations were being issued to only fourteen whites and one hundred and thirty-nine Negroes in the entire state.⁴⁰ Early in 1867, after General Carlin assumed charge of the Bureau in Tennessee, rations were restricted to those physically unable to work, and after August, 1867, few were issued except to orphan asylums and hospitals.⁴¹

One of the important phases of the philanthropic work of the Bureau in Tennessee was the maintenance of hospitals and orphan asylums. In January, 1866, Fisk was operating four asylums and one hospital for Negroes in the state; and from October 1, 1865, to August 31, 1866, the Bureau hospitals in Tennessee and Kentucky treated 13,667 freedmen, 497 of whom died.⁴² When General Carlin succeeded Fisk in January, 1867, he found that Tennessee still had only one Bureau hospital, located at Memphis, and he made plans for an additional unit in Nash-

³⁵*Ibid.*, July 13, 1865.

³⁶*Nashville Daily Press and Times*, August 12, 1865.

³⁷*Ibid.*, September 22, 1865; *Nashville Daily Union*, September 27, 1865.

³⁸*Senate Executive Documents*, 39 Cong., 1 Sess. (1865-1866), No. 27, p. 13.

³⁹*Nashville Daily Press and Times*, August 16, 1865.

⁴⁰*Ibid.*, June 26, 1866.

⁴¹*Ibid.*, July 22, 1867.

⁴²*Report of the Secretary of War*, 1866, p. 725.

ville. In March, an emergency hospital was opened there, and the Bureau continued to operate both hospitals until December, 1868.⁴³

Another function of the Freedmen's Bureau was the disposition of "abandoned" Confederate lands. According to a statement of General Fisk, 355,751 acres of land had been abandoned in Tennessee before he arrived in Nashville.⁴⁴ Part of his relief program was to place freedmen on this land. When the Bureau began its work, it found Negroes concentrated in the following camps in Tennessee and Kentucky: Nashville, Memphis, President's Island, Clarksville, Louisville, Paducah, Columbus, Gallatin, Hendersonville, Tunnel Hill, Pulaski, and Chattanooga.⁴⁵ Fisk immediately hired out these Negroes, usually under contract for one year, and many were placed on the abandoned land. In most cases when a Negro signed a contract, he received from \$150 to \$180 for the year, in addition to clothing and housing. Some rented land by the acre; others worked on shares. All contracts of course had to be approved by Bureau officials.⁴⁶ No general regulations were laid down for the enforcement of the contracts, however, but provost courts, military commissions, and local courts were opened to the Bureau to force white farmers to give the Negroes what the Bureau considered a fair deal. Any disputed contract could be adjudicated favorably to the Negro during most of the period.⁴⁷ Even so, Fisk's procedure in the settlement of contracts was usually amicable, and many of the planters in the state accepted the new situation and cooperated with him. In partial return for this cooperation, Fisk restored about \$20,000,000 worth of property to its original owners by January 21, 1866.⁴⁸

During General Lewis' administration of Bureau affairs, Negro labor conditions became unsettled because of his undiplomatic handling of the entire situation. He was wholly in favor of supporting the cause of the Negro in every respect. At this time the Negroes received the impression that they were to receive property from the federal government, and the "Forty Acres and a Mule" idea was fostered and magnified by certain Bureau agents and by agents of various political organizations and clubs which were becoming quite active in Tennessee. Those Bureau agents located in Middle Tennessee were especially outspoken in making promises of land to Negroes. The immediate result was the re-

⁴³Nashville *Daily Press and Times*, March 16, 1867; *ibid.*, February 18, September 16, October 1, 1868.

⁴⁴Nashville *Dispatch*, September 2, 1866; Nashville *Daily Union and American*, September 2, 1866.

⁴⁵Nashville *Daily Press and Times*, August 29, October 14, 1865.

⁴⁶Nashville *Daily Union*, January 11, 1866; *House Executive Documents*, 39 Cong., 1 Sess. (1865-1866), No. 11, pp. 44-46.

⁴⁷*Annual Cyclopaedia*, 1865, p. 375.

⁴⁸Nashville *Daily Union*, January 21, 1866.

fusal of many freedmen to sign contracts during the fall of 1866.⁴⁹ This condition continued until August, 1867, when another seasonal demand for labor brought the matter to a crisis. By that time General Carlin had become assistant-commissioner, and he issued orders that those Negroes who had been offered work and refused it should receive no further aid from the Bureau.⁵⁰ The result this time was that the Negroes went back to work. Their holiday under Lewis was over. In an effort to placate the whites, Carlin, by November 1, 1867, returned all abandoned land to its owners, except 27,986 acres.⁵¹

In the winter of 1867-1868, the so-called southern outrages reached their height in Tennessee. It was only natural for the freedmen to bear the brunt of the attack of the pent-up rage of ex-Confederates, who were giving vent to their feelings through their newly organized Ku Klux Klan. Labor conditions grew worse as the year 1868 advanced, and, according to reports of Federal army officers stationed in the state, Tennessee planters were determined to turn off all Negro help as soon as the year's crops were gathered.⁵² The Bureau again stepped in to aid the Negro, and during the fall of 1868, affairs became somewhat settled. By January, 1869, the majority of the freedmen were settled for the year, with wages averaging between \$120 and \$150 for good hands. At that time, as stated by a Nashville newspaper, those Negroes who "have nothing but health and hands find ready contracts every where."⁵³

Although the Bureau in Tennessee administered much relief and attempted to maintain stable working conditions in the interest of Negroes, probably the most active division of the organization was its educational department. This department of the Bureau's work was the first to be organized by Fisk after he opened his office in Nashville. He had school buildings erected on abandoned lands in all sections of the state, and in August, one month after his arrival, Memphis alone had ten Negro schools being attended by 1,948 pupils. By September, 1865, so many Negroes of all ages had flocked to the Bureau schools that space and teachers were not available for them. To handle this situation, more buildings were constructed, and Fisk set up a school in Nashville for the training of Negro teachers.⁵⁴ Within five months he had seventy-five Negro schools under his direction in Tennessee and Kentucky, and 264 teachers had been employed by the Bureau to teach 14,786 pupils.⁵⁵

⁴⁹Nashville *Daily Union and American*, November 6, 1866.

⁵⁰Nashville *Daily Press and Times*, August 9, 1867.

⁵¹*Report of the Secretary of War*, 1867, p. 622.

⁵²*Ibid.*, 1868, p. 170-175.

⁵³Nashville *Daily Press and Times*, January 7, 1869.

⁵⁴*Ibid.*, August 16, September 19, 1865.

⁵⁵*House Executive Documents*, 39 Cong., 1 Sess. (1865-1866), No. 11, p. 31.

The year 1866 began auspiciously for Negro education in Tennessee, for on January 9 of that year Fisk University was formally opened. The necessary funds for operation were provided by the American Missionary Association of New York City and the Western Freedmen's Aid Commission of Cincinnati. Presumably the university was started for the purpose of training all classes of Negroes, but, carrying out General Fisk's desire to prepare Negro teachers, the school from the beginning specialized in teacher training. It grew in size rapidly, and before the end of its first year had an enrollment of 850 students.⁵⁶

After the opening of Fisk University, which cooperated closely with the Bureau, educational facilities for the Tennessee Negro continued to be augmented. According to a report, in July, 1866, of J. W. Alvord, general superintendent of the entire Freedmen's Bureau school system in the Southern states, Tennessee at that time had 42 Negro schools, 125 teachers, and 9,114 pupils.⁵⁷ Compared with the other Southern states, this was a large number. By the date of Alvord's report, however, Negro education in Tennessee was being attacked by ex-Confederates. In the famous Memphis race riots of the summer of 1866, school buildings valued at \$37,000 were destroyed. The riots were not confined to Memphis, however, and Negro schoolhouses were also destroyed at about the same time in Tullahoma, Decherd, Shelbyville, Brentwood, and Athens.⁵⁸ Bureau teachers and their pupils became the center of a verbal, and in numerous cases a violent, attack by an embittered white population. The most visible result of the attacks was the construction of new schools for Negroes at Nashville, Tullahoma, Springfield, Memphis, Chattanooga, Clarksville, Smyrna, Shelbyville, and other localities.⁵⁹ Reconstruction of destroyed buildings was carried on at such a pace that by September 1, 1866, when Fisk left Tennessee, there were in the state 41 schools for Negroes and 9,400 pupils being taught by 125 teachers.⁶⁰ This was practically the same number as reported by Alvord in July, before the riots occurred.

In February, 1867, the Tennessee legislature enacted a law providing for state maintenance of Negro schools,⁶¹ and as a result much of the Bureau's educational activities was taken over by the state. Rev. D. Burt, of Nashville, became state superintendent of Negro education, and among those pupils immediately placed under his direction were the following: 6,581 pupils from schools previously operated by benevo-

⁵⁶Nashville *Daily Union*, January 9, 1866; Nashville *Daily Press and Times*, January 10, December 19, 1866.

⁵⁷Nashville *Daily Union and American*, October 5, 1866.

⁵⁸Patton, *op. cit.*, 159.

⁵⁹*Senate Executive Documents*, 39 Cong., 2 Sess. (1866-1867), No. 6, pp. 131-132.

⁶⁰Nashville *Daily Union and American*, September 2, 1866.

⁶¹*Acts of Tennessee*, 1866-67, p. 39.

lent societies; 938 from private schools; 5,105 from Sunday schools; 28 from schools operated by freedmen; and 39 from Bureau schools. For the time being the Bureau continued to operate its schools, and from January to June, 1867, spent \$13,208.21 in their upkeep.⁶²

The period from June, 1867, to May, 1868, was especially marked by another series of attacks by the Conservatives, the name now adopted by ex-Confederates, against Negro education. Teachers of Negro students were intimidated by the Ku Klux Klan. In one instance, at Carthage, a school building was burned, and the teachers were notified "in a bloody handwriting . . . that they should suffer death unless they went North where they belonged."⁶³ In the first week of May, 1868, Reverend Burt, unable to cope with the situation, resigned his position as state superintendent of Negro education. A week afterwards, his duties were taken over by an army officer, Major James Thompson, who was sent to Nashville by General O. O. Howard, chief commissioner of the Freedmen's Bureau, to restore order.⁶⁴ Under Thompson's control, with the aid of military force, Bureau schools were better protected, and again the number of Negro pupils in the state began to increase. In October Thompson gave out the report that 16 schools were being sustained and 11 partially sustained by freedmen, 19 were owned outright by them, and 43 were being furnished Negroes by the Bureau. There were 2,164 male and 2,493 female pupils being instructed under the auspices of the Bureau, and they were being taught by 54 white and 41 Negro teachers. During the previous month, September, Negroes had paid \$379 in tuition, the Bureau had spent \$2,959, and the total expense of Bureau schools for the month had amounted to \$5,809.⁶⁵

By the first of 1869 most of the Negro schools formerly operated by the Freedmen's Bureau had been taken over by the state, under the provisions of the Negro education act of February, 1867. By January, 1869, the free school system had been extended to 85 counties, and it was estimated at that time that more than 100,000 Negro pupils were attending state schools. In April, 338 Negro schools were being operated, and of these the Bureau helped support less than 25. The freedmen themselves were supporting 195 schools, while the remaining 143 were controlled either by the state or by benevolent societies, which were again becoming active in the state now that the Bureau's activities were being curtailed.⁶⁶ By the following month, May, supervision of Negro education had been turned over almost entirely to state authorities, and

⁶²Nashville *Daily Press and Times*, February 8, 1867; *Report of the Secretary of War*, 1867, p. 653.

⁶³Nashville *Daily Press and Times*, April 27, 1868.

⁶⁴*Ibid.*, May 14, 1868.

⁶⁵*Ibid.*, October 27, 1868.

⁶⁶*Ibid.*, January 6, 23, February 19, March 19, April 26, 27, 1869.

the few remaining schools under direction of the Bureau were gradually consolidated with those of the state. Thus, one of the most active divisions of the Bureau was brought to a close.

A final phase of the activities of the Bureau in Tennessee had to do with the organization's interest in state politics. Although many derogatory statements, probably justifiable, have appeared in print in regard to the general efforts of Bureau agents to introduce and maintain Radicalism in certain Southern states, there is little available evidence which indicates that they showed equal vigor in this respect in the case of Tennessee. But the fact that they were not equally as vigorous by no means indicates that they were entirely apathetic. Since most of the functions of the Bureau were concerned with bettering the general condition of the Negro, it was only natural for its agents to work for Negro suffrage. Also, as was usually the case throughout the South, the Bureau in Tennessee helped persuade the Negro to vote the Republican ticket, after he was given the vote in February, 1867. In Tennessee this meant support of William G. ("Parson") Brownlow, and if the part played by the Bureau in gaining the vote for the Negro is to be understood, it is necessary also to know something of Brownlow's ideas on the subject before the Bureau began its operations in Tennessee. He was first elected governor on March 4, 1865,⁶⁷ and on the occasion of his first address to the legislature, one month later, he stated emphatically that it was his belief that the races in the state should be segregated.⁶⁸ Such a view was of course unacceptable to the rapidly growing Radical party in the North, and after Lincoln's death, members of that party began criticizing Brownlow for his views.⁶⁹ This criticism became so severe by July that Brownlow, who was now lining up with the Radicals, came out with a new program which he thought might appease his Northern allies. On July 3, the following proclamation was issued to the public:

The Negroes, like the Indian tribes will gradually become extinct—having no owners to care for them, and no one owning property in them, they will cease to increase in numbers—cease to be looked after and cultivated—while *educated labor* will take the place of *slave labor*. Idleness, starvation, and disease will remove the majority of the negroes in this generation. The better class of them will work and sustain themselves, and that class ought to be allowed to vote, on the ground that a *loyal negro* is more worthy than a *dis-loyal white man*!⁷⁰

⁶⁷This was the election by which civil government was reestablished in the state, replacing the military governorship of Andrew Johnson.

⁶⁸Tennessee *Senate Journal*, 1865, p. 22.

⁶⁹See *Harper's Weekly*, June 10, 1865, for an example of the opinion of a leading periodical of Brownlow. See also E. Merton Coulter, *William G. Brownlow, Fighting Parson of the Southern Highlands* (Chapel Hill, 1937), for a biographical account of Brownlow.

⁷⁰Nashville *Daily Press and Times*, July 3, 1865.

This proclamation was made public three days after General Fisk arrived in Nashville, and it is possible that it was issued partially on his advice. At least, latter events indicate that such a policy was not objectionable to Fisk. A week after the proclamation, the Brownlow controlled legislature went still further in advancing the Radical program by disfranchising the great majority of the ex-Confederates.⁷¹ Again, it is possible that this step was taken with Fisk's approval. Brownlow's obvious reason for this act was to insure the election of Radical congressmen at the election which was to be held in the first week of August.⁷²

Fisk took no part in the disputes which resulted from this election, and although he favored Negro suffrage, his references to the Negro during his first month in Tennessee were only as a worker. A week after the election, however, a Negro convention was held in Nashville for the purpose of agitating in favor of Negro suffrage.⁷³ On the second day of the convention, August 8, Fisk attended and promised the delegates that "the suffrage would come around all right." He pledged his support in securing this boon, stating: "I was one of the first to give the colored men the Bible—the first to give him the bayonet—and I shall not be behind in giving him the ballot. . . . I know what you want and what you desire, and I shall labor all I can to obtain it. You can depend on me."⁷⁴ Despite this open approval of Negro suffrage, there is no available evidence which indicates specifically that Fisk aided directly in the struggle going on in Tennessee for the next year and a half over the privilege. It is probable, however, that he did cooperate with Brownlow, but he ably covered his tracks from the historian. Brownlow continued his activities, caring nothing for the historian, and when the General Assembly met in October, 1865, he again stated it as his belief that "a loyal [Republican] negro is more eminently entitled to the suffrage than a disloyal white man."⁷⁵ By the first of the year 1866 he had definitely become a Radical. In March, there was no longer any doubt where he stood, for in a speech made in Knoxville in that month he remarked that "The name of Radical has no terrors for me. I have been known as a 'damned blue-light' and a 'damned lunatic,' and I think it cheap if they will now let me off by calling me a 'damned radical.'"⁷⁶

⁷¹*Ibid.*, July 13, 1865. The test questions by which whites were excluded from the polls are printed in *ibid.*, June 29, 1865.

⁷²*Ibid.*, August 4, 1865; *Nashville Daily Union*, August 1, 1865, contain the information that only 4,300 voters in Nashville were allowed to register for the election and that only half of this number voted.

⁷³For detailed accounts of the convention, see *Nashville Daily Press and Times*, August 8-11, 1865, and *Nashville Daily Union*, August 8, 1865.

⁷⁴*Nashville Daily Press and Times*, August 9, 1865.

⁷⁵*Tennessee Senate Journal*, 1865-66, p. 11.

⁷⁶*Nashville Daily Union*, March 28, 1866.

For the rest of the year, he, the Radical press in the state,⁷⁷ and agents of the Union League club,⁷⁸ worked diligently and persistently for the enfranchisement of the Negro. Since Fisks' sentiments were in accord with his natural allies in this campaign, it may be assumed that he cooperated with them in it. And, after September 1, when General J. R. Lewis became assistant-commissioner of the Bureau, the agency became even more active.

With such pressure there is little wonder that the bill introduced in the General Assembly in January, 1867, designed to enfranchise the Negro, received the support of a majority of the members. On February 26, 1867, the bill was passed.⁷⁹ Immediately both the Conservatives and the followers of Brownlow began a concerted effort to entice the new voters into their respective ranks.⁸⁰ In this campaign, however, the Radicals had all the advantages because of numbers and the legality of their position. The Negro was not allowed to forget that it was Brownlow who had been mostly responsible for opening the polls to him. Also, at this time the Union League led the way in holding Negro conventions throughout the state, and at one of these conventions, in Chattanooga on April 3, Brownlow was endorsed for reelection in the gubernatorial election which was to take place in August, 1867.⁸¹ The Negro conventions continued throughout the spring, and because many of the Negroes were unable to pay their passage and expenses, they were allowed in some cases to ride the trains to the meeting places without paying fare and in other instances they were sent with funds furnished by Bureau agents.⁸² Among those Bureau agents who were particularly assiduous in campaigning for Brownlow was a Captain Walsh, of the Nashville sub-district.⁸³ Before the election, Bureau agents in many counties reported the Negro as being strongly in favor of Brownlow, and the Union League was able to announce that at least four fifths of the new voters had been taken into the Radical fold, bound by oath to vote the Republican ticket.⁸⁴

⁷⁷According to the editor of the *Nashville Daily Press and Times*, January 19, 1867, there were about 45,000 white Republican voters in Tennessee and about 50,000 Conservatives. The only way by which this Conservative majority could be overcome was by enfranchising the Negro. The editor estimated if the Negro could vote, the Radicals would then have a majority of at least 15,000.

⁷⁸The first Union League club had been established in Tennessee in the spring of 1863. *Nashville Union*, April 23, 1863.

⁷⁹*Tennessee Senate Journal*, 1867, p. 355.

⁸⁰*Nashville Daily Press and Times*, March 11, 1867.

⁸¹*Ibid.*, April 6, 1867.

⁸²*Ibid.*, April 17, 1867.

⁸³*Ibid.*, April 26, 1867.

⁸⁴*Ibid.*; I. P. Jones, "Reconstruction in Tennessee," in *Why the Solid South* (Baltimore, 1890), 191.

The Conservatives, who were supporting Emerson Etheridge in opposition to Brownlow, determined that the only method by which they could defeat Brownlow was to keep the Negro from the polls. Accordingly, they began terrorizing the new voters. The results of their program of intimidation, which was carried on before and after the election, may be partially gathered from an official report made later by General Carlin. His report was that between June and September, 1867, there were 25 murders, 35 assaults with intent to kill, 83 cases of assault and battery, 4 of rape, and 4 of arson committed by Tennessee Conservatives against Negroes of the state.⁸⁵ Moreover, after Brownlow was reelected by a vote of 74,034 to 22,550 on August 1,⁸⁶ many Negroes under contract to Conservatives in Middle and West Tennessee were turned out of their jobs for having supported the Radical party. When this happened the Bureau immediately came to the Negroes' aid. In fact, it seems that assistant-commissioner Carlin expected such to occur, for the day after the election he had the following notice published in several Nashville newspapers: "Let every colored man who was discharged because he would not vote the Conservative ticket, report at once to General Carlin, and make affidavit to that effect. They will be provided for."⁸⁷

After the gubernatorial election of 1867, it was only natural for the Ku Klux Klan to center out the Bureau and the Union League for attack, with the hope that by destroying these two outside organizations the Negro could again be relegated to his old non-political position. In spite of its activities, however, the Negro continued to hold the balance of power in Tennessee politics until the state election of 1869. In the meantime, Brownlow resigned as governor in order to become United States senator, the Union League and Bureau gradually disbanded, and the Conservatives again gained a majority just prior to the election when they were reënf franchised by Governor DeWitt C. Senter. The Radical party was through in the state, and figuratively speaking, the state began a career of peace and prosperity. Even "Parson" Brownlow later in the year maintained that every citizen over twenty-one years of age should be restored to full rights of citizenship.⁸⁸

⁸⁵Howard, *op. cit.*, II, 344.

⁸⁶Charles A. Miller, *The Official and Political Manual of the State of Tennessee* (Nashville, 1890), 170.

⁸⁷Nashville *Daily Press and Times*, August 2, 1867.

⁸⁸*Harper's Weekly*, September 18, 1869.

PAPERS FROM THE SPANISH ARCHIVES RELATING TO
TENNESSEE AND THE OLD SOUTHWEST, 1783-1800

Translated and Edited *By*

D. C. CORBITT and ROBERTA CORBITT*

(Continued from East Tennessee Historical Society's *Publications*, Nos. 9 and 10)

III — January, 1787 - August, 1787

[Translation]

MIRÓ TO SONORA, NEW ORLEANS, JANUARY 17, 1787¹

No. 4 Confidential

My dear Sir: Lieutenant-Colonel Francisco Cruzat, Commandant of Illinois [St. Louis], under date of December 2 last encloses to me the two Reports, translations of which are included, Number 1 he acquired by having sent, according to my instructions, Juan Bautista Prat to the Town of Kaskaskia, belonging to the United States, situated on the east bank of this River in front of our Settlements in the said district, which individual is a relative of the person who, according to the report, refused the Captain's Commission: the majority of the residents of the said Town are French who have been there since before the Peace of 1763 in which it was ceded, along with all that bank, to His Britannic Majesty, and conquered by the United States before we were at war with that Power.

Saint Geme² Beauvais who gave him the one included under number 2 has gone to the Town of Vincennes, one hundred leagues distant from our Town of St. Louis of Illinois, through the interior lands on the other side of the Mississippi, because he has a married sister there, with the commission to discover if the preparations that Clark is making are destined against Natchez, and he is due to return at the beginning of this month.

If experience had not taught me the facility with which reports of attacks and war are invented in these Countries, I should go immediately with all the Forces to Natchez to receive Colonel Clark: but after those, which gave me motives for sending for help turned out false, as I informed Your Excellency in communication no. 82, and many others which I have ignored: the desire

*For the editors' introduction see the beginning of the first installment of these "Papers" in the East Tennessee Historical Society's *Publications*, No. 9 (1937), 111-112.

¹Archivo General de Indias, Papeles de Cuba (hereinafter cited as A. G. I., P. C.), 86-6-16.

²The real name was probably Saint Jean. Note the difference in the spelling in Beauvais to Cruzat, November 15, 1786.

to contribute toward the economy, which Your Excellency justly recommends, keeps me from beginning expenditures until I am certain.

Nevertheless I am greatly perplexed because under date of June 30 Don Diego Gardoqui tells me that "he believes that it is very necessary that our Frontiers be kept in the best state of defense since Congress persists in demanding the boundaries given them unjustly by England, although the state of its Treasury leaves it in no condition to attack us, and because the number of destitute emigrants, who are settling on the Ohio and Cumberland, is large, and their ambition and necessity are very great."

In view of all this I have thought it would be well for His Majesty to authorize me to keep at Natchez a Galley and three gunboats, which he has here, and two more canoes, until the question of the boundaries is settled, so that a detachment of six men, a Sergeant, and a Corporal may be stationed on the upper part of the Island which is in the River 100 leagues above Natchez, in order to be able to watch and to come down quickly to give warning if an Expedition is seen, the other canoe being used to relieve the said Detachment every two months. The advantages that may result from this are even greater than appear at first sight, and merit the following explanation.

It is very probable that if the emigrants mentioned begin an expedition they will do so without Gunboats, because these are not necessary for the siege of the Fort at Natchez, which cannot be destroyed from the water, and they will, therefore, come down in *chato* boats called here *Chalanes*, which have no keel, are very wide, and are covered with a Roof of Boards. Each *chalan* is capable of containing 400 men with provisions, military stores, and artillery which cannot be used since it will come as ballast, making possible the construction and use of the said *Chalanes*.

The necessity of navigating in deep water makes it impossible for the *chalanes* to approach land except at certain few points on the Mississippi, because this river floods the Woods on the banks, between the Trees of which they cannot pass.

It may therefore be inferred from what has been explained that if several *Chalanes* are seen by the detachment on the Island coming down, driven only by the current, it will have time to arrive at Natchez much ahead of them in the canoe which has the advantage of Oars: so that, although the Gunboats begin their voyage 24 hours after the canoe arrives, they will meet the *Chalanes* in a place where they cannot approach land or flee, from which situation may result the destruction of the Expedition and a glorious day.

The expense of maintaining the said boats at Natchez reduces itself to paying a master and ten sailors for the Galley, a master and four sailors for each Gunboat, and a master for each canoe, and two *reales* reward daily for each Soldier when a voyage is made and it is necessary to row. Therefore, in view of the glory and great advantages that may result, I consider this expenditure well made, although it may be unfruitful unless the invasion takes place: and meanwhile His Majesty will have time to resolve the matter,

and in hopes that he will approve, I am going up with the said Boats myself, if the later reports persuade me that I shall surely be attacked. . . .

Estevan Miró

Duplicate

His Excellency the Marqués de Sonora.

[Translation]

PRAT TO CRUZAT, ST. GENEVIEVE, NOVEMBER 24, 1786 (ENCLOSURE)³

Report communicated by Mr. Prat, an Inhabitant of St. Genevieve, November 24, 1786.

No. 1

Translation

A person from the Village of Kaskaskia, whom discretion does not permit me to name because of possible unforeseen events, told him [Prat] that General Clark, being at Vincennes Post, had sent an express to Mr. Edgard, a merchant of the said Village of Kaskaskia, giving him several orders and sending him two Captain's Commissions, one for him and the other for the person who did not wish to be named, who has refused said Commission on several pretexts. The Orders of the General are that the two Captains mentioned should each form a Company of 60 men, who should be recruited in the Country, and should offer each one of the Militiamen fifteen dollars per month and 300 Acres [*Arpanes*]⁴ of land in the place of his choice at the end of the campaign: that they should be ready by February to go down to Natchez and take it by force if it offers resistance: That for this purpose he had appointed twenty-four companies in this district, that is to say in Kentucky, Cumberland and other inhabited places on the lower Ohio and the Rivers that flow into it. Edgard, seeing that the person indicated had refused the Commission, did not communicate anything else to him, forbidding him at the same time to tell anyone under any pretext whatever, on penalty of death. . . .

Estevan Miró

[Translation]

BEAUVAIS TO CRUZAT, KASKASKIA, NOVEMBER 15, 1786 (ENCLOSURE)⁵

No. 2

Translation

Relation of the report communicated to the Commandant of the District of Illinois, by Mr. Saintgème Beauvais, inhabitant of the Village of Kaskaskia, an American Subject worthy of confidence, under date of November 15, 1786.

³A. G. I., P. C., 86-6-16. Enclosed in Miró to Sonora, January 17, 1787.

⁴*Arpan* is an adaptation to Spanish of the French word *arpent*. It is a measure of land varying from a little less than an acre to about one and one-half acres. In these papers it seems to be synonymous with acre.

⁵A. G. I., P. C., 86-6-16. Enclosed in Miró to Sonora, January 17, 1787.

By Letters that this person has received from various Individuals of Vincennes Post dated October 4 and 5 last, he is told of the arrival of Mr. George Clark, Commandant of a party of American Militia composed of Twelve hundred men who have, it is said, the design of going to war against the Miami Indians, their enemies, located in a village about half way between Vincennes Post and Detroit [*Plaza del Estrecho*] which is occupied by the English; that after three expeditions the said Commandant has been obliged by the desertion of his Detachment except two hundred men, to return to Vincennes Post where he has constructed a Fort, obliging the inhabitants to work and carry Timber at their own expense: that he vexed them in strange ways, confiscating the Plantations of different persons from the Spanish Settlements who had gone to Vincennes Post because of family interests, forcing some of them, Juan Pedro, Pedro, Basadon, and Ganison to march with him against the Miamis, and that Eugenio Alvarez also has been obliged to flee by night in order to avoid persecution, going down with part of his Effects to New Orleans, where it is hoped he has arrived Safe and Sound. Mr. George Clark, in order to give a good appearance to these extortions, says that he uses reprisals because the Spaniards confiscate the American Canoes or Boats that go down from fort Duquesne upon their arrival at Natchez. According to current rumors he and his band are to make an assault this Spring on the *Lanchones* that will come from the City. . . .

Estevan Miró

KELLY TO PANTON, UPPER CREEK NATION, JANUARY 23, 1787⁶

Extract of a letter from John Kelly a half Breed Trader in the Upper Creek Nation to Mr. Panton in Pensacola dated January 23, 1787.

"I take this opportunity to inform You of the Situation in which myself and others of Your Traders ly under—The French have Come within 60 Miles or a days ride of my House and have Settled themselves and as they sell goods much lower than it is in our power to do, they have deprived us of most of the Skins which we expected to get from the Indians this season, and by the underhand steps they are taking to prejudice the Indians against the Traders who go to Pensacola, unless it is put a stop to, it is probable we shall be much oppressed by their means—

This notice I give You and I request that You will inform Governor O Neill of the same and know from him if we Can be justified in driving away those intruders by seizing on their property— Now is the time to do it, for if those vagabonds are once permitted [to] establish themselves in our Country it will not be so easy to remove them afterwards &ct &ct

Signed—John Kelly—"

(*Verte*)

⁶A. G. I., P. C., 37. The Frenchmen complained of in this letter appear to have been traders selling goods obtained from merchants in New Orleans. Panton continued to have trouble with the New Orleans merchants' trying to break his monopoly of the Indian trade.

Pensacola 15th March 1787

Dr. Sir

In compliance with the request of my Friend John Kelly I lay before Your Excellency the foregoing extract from his letter to me dated 23rd January and which I have this instant received. . . .

Wm. Panton

[Addressed on back:]

His Excellency Governor O'Neill Pensacola

[Translation]

MIRÓ TO FAVROT, NEW ORLEANS, MARCH 15, 1787⁷

I have told you that whenever there appears in the Choctaw or Chickasaw Nations any American who gives bad talks or counsels to the Indians, to try to arrest him alive, avoiding by all means the taking of a single Scalp [*Cabellera*], this being contrary to the intentions of His Majesty and the agreements of the Congresses; therefore you need no more orders on this point, since I have said the same on different occasions to the Indians in the talks I have had with them: which will serve as a reply to your communication no. 77 about the American David Post. . . .

Estevan Miró

Señor Don Pedro Favrot.

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, MARCH 16, 1787⁸

My dear Sir. In conformity with what you advised me under date of December 3 of last year and in fulfillment of the Royal Order of which you sent me a copy, I have commanded all of the English inhabitants of this Jurisdiction to take the oath prescribed by His Majesty, in order to assure themselves of the Royal Benignity, a Testimony of which I send to you for your convenience, and at the same time I report to you that I have not been able to do this because some of these Inhabitants are in the Nations, and up to now three of them have not returned, whom, when they come, I shall have take the oath.

The five Americans that have been Sentenced, whom I am sending by this Opportunity to that City, have not taken the oath, being traders, and prisoners under sentence when you sent the said Royal Order.

⁷A. G. I., P. C., 4.

⁸A. G. I., P. C., 37.

The Oaths of Mr. Panton and his clerks will go in a separate letter because they are phrased differently. . . .⁹

Arturo O'Neill

Señor Don Estevan Miró.

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, MARCH 24, 1787¹⁰

My dear Sir. I have your Answer to the petition I sent you from the Inhabitants on the Tensaw River in favor of Charles Wetherford¹¹ who is Sentenced to Prison, and to the information I gave about the same. It has not been my purpose to minimize to the condemned the just sentence against him, for, in addition to what is Mentioned in the Sentence, Mr. Alexander McGillivray has informed me that the intention of the said Wetherford was to collect what goods he could get here, buy all he could on credit from Mr. Panton, and obtain any others he might be able to from other sources and escape to the Americans on the Cumberland: he also has some influence over many of the traders, and is known to be obtaining goods elsewhere.

Nearly three years ago an American named Col¹² stole a young Mulatto and His sister on the St. Johns. This Wetherford and another Englishman took them from him in the Woods, brought them here and pawned them to Piti Bautista and Mr. Jac. Since I did not want to permit them to be sold, they took advantage of my absence in Havana two years ago to pawn to Mr. Jac, or rather to Mr. Bautista. At present he has in his possession a Horse belonging to the Clerk here, and although he denies it, the Prisoner Story and a Spaniard named Julian testified that it is true. There are also complaints against him by another trader and by a Frenchman a part of whose Peltries he took when he passed by his house, which is a proved fact, and McGillivray says he must pay for them.

⁹Panton and his associates swore to be faithful to the king of Spain, and at no time to take an active part in any way against his dominions, even though England was Spain's opponent. In case of such a war they were to be allowed to remove to British territory with their families and property. Pantón to Miró and Navarro (date uncertain), Corbitt, "Papers Relating to the Georgia-Florida Frontier, 1784-1800," *Georgia Historical Quarterly*, XX, No. 4 (December, 1936), 361-364. See Miró and Navarro to Sonora, March 24, 1787, below, for comment on this oath.

¹⁰A. G. I., P. C., 37.

¹¹Charles Weatherford was McGillivray's brother-in-law. The French Captain Marchand, while stationed at Fort Toulouse about 1722, married (?) a beautiful Creek girl. Their daughter, Sehoy, after Marchand was killed, married a minor chief. Fort Toulouse changed hands, and Sehoy became the consort of the English Captain Tait. Lachlan McGillivray, a Scottish tourist of wealthy family, took Sehoy away from Tait. Alexander McGillivray was the son of Sehoy and Lachlan McGillivray. Weatherford, a Scottish trader, married a daughter of Tait and Sehoy. Marquis James, *Andrew Jackson, The Border Captain* (Indianapolis, 1933), 164.

¹²John, James, and Charles Cole owned farms in a district called Cole's Creek, about twenty-four miles from Natchez. Archivo Nacional de Cuba, Floridas, legajo 14, No. 1. The "Col" mentioned was probably one of these men or a relative.

Mr. Linder, Mayor [*Alcalde*] of Tensaw, in a petition he made in favor of Wetherford, signed the names of several inhabitants there without having their permission to do so, about which one named Rens complained to me for himself and for Duen and McCorten [McCurtin],¹³ regretting that the said Linder would do such a thing without their knowledge, and without the knowledge of the majority of the inhabitants: All of which I report to you in order that you may do what you think best. . . .

Arturo O'Neill

Señor Don Estevan Miró.

[Translation]

MIRÓ AND NAVARRO TO SONORA, NEW ORLEANS, MARCH 24, 1787¹⁴

Confidential

No. 6

Most Excellent Sir

Having reached an agreement in the Indian Congresses held in Pensacola and Mobile by Order of His Majesty, by virtue of which we took the quickest means to give the Indians the Peace and Commerce that they have today, and continuing along the same line in accord with the decision of what occurred relative to the said order, we have thought proper to inform you and to explain to you all that seems best to us, so that you may be pleased to decide the essential point of its context.

The copy that is enclosed under no. 1 is from Mr. William Panton, who, you are informed, is established in Pensacola; he and Mr. James Mather, who is to operate at Mobile, explain for themselves the inconvenience of the prescribed requirements under which we issued to them Licenses no. 2. They are determined to retire from the Trade, and the former plans to retire completely from Florida, abandoning the project which both believe diametrically opposed to the hopes of obtaining the freedom and privileges under which they consented to carry on the trade, for they know that the said restrictions expose their credit, persons, and goods to the disagreeable consequences of confiscation and loss [*desconcepto*].

With the aforesaid aim we have agreed to send a Letter of recommendation for each of them to the Minister of our Court in London, the Marqués del Campo, under no. 3 with the sole aim of gaining time, while this representation gets to Your hands, asking him, that if his powers and the present circumstances allow, to order that they be given the necessary permits for their return, without which indispensable requisites they will not be given, nor can these persons return to this Province under any Pretext.

¹³Cornelius McCurtin. See the declaration of Simon Burney, October 9, 1784, in the first installment of these "Papers," *Publications* No. 9 (1937), 120.

¹⁴A. G. I., P. C., 86-6-16.

The uncertainty we are in because of the doubt about their return,¹⁵ increases our cares in this critical moment in which all the Indian Nations are in arms to defend their lands against the attempts and ambitions of the Americans, a moment in which a lack of goods may immediately influence them to our injury, and we would feel the consequences of the lack, due to unnecessary carelessness. The Warehouses at Pensacola and Mobile, the object of this representation, are supplied with goods for all the current year of 1787. If, in the said interval the superior authority takes the proper measures for the continuation of this trade, there is no necessity that it be the said Panton and Mather that carry it on, for the end in view is that there be goods and munitions for the demand without inquiring about the hand that supplies them. Nevertheless if it be not the said persons a very great difficulty presents itself: the reason is that these men know the English traders settled among the Indians who have been united with them by friendship and family ties for many years, through whom this trade is carried on: they know the language, and it would be difficult to substitute others from any other nation whatever, a difficulty which, though not seeming to be very important, is sufficient to upset any mercantile operations by another person who does not have this facility. Not less powerful is the fact that this Commerce is carried on by crediting these same Traders, according to their reputation and good faith and honesty, proportioning the credit of each to these qualities, so that what is received now is not paid for until the end of the Indians' Hunt. The Indians must also be supplied by the traders with clothes and munitions on credit until that time, and on this succession of credit and confidence rests the whole trade which is carried on in this way, and it is impossible to a Firm that is not acquainted with it, without exposing itself to the contingencies that may be easily deduced: neither is it a little thing that their negotiations depend on the conduct of an Indian, or a Trader, which is little different: an assertion which proves that none of these Merchants here, if made responsible for these and other difficulties, would decide to supply those Nations without hope of gain.

The English do not permit the entrance of Peltries into London except in ships flying their flag and manned by English crews, and to compel these merchants to meet the prescribed requirements would be the same as forbidding them to return to England, where they are supplied with their Goods.

It is true that the Spaniards can carry on the trade from Cádiz or some other Port, but it is also evident that the duties that will fall on these goods coming from foreign countries will by natural consequence increase the price of the goods to the Indians, an operation which will be contrary to the stability which it should be a point of policy to preserve because it is not possible to convince the Indians of the just reason for this alteration.

The prices of Peltries change constantly in the Cities of Europe, where the Cotton and Wool factories wish to destroy their use in order to increase

¹⁵The ships of Panton and Mather arrived soon after this letter was written. Corbitt, "Papers Relating to the Georgia-Florida Frontier, 1784-1800," *Georgia Historical Quarterly*, XXI, No. 2 (June, 1937), 186.

the consumption and better quality of their own products; and if in the end they are able to achieve this, it is very problematical what will remain to be done with the Indians, whom it is necessary to keep even if they have to be reduced to the habits and industry of civilized life.

On the other hand, we believe that there is little harm, under the present circumstances, in continuing to permit Pantón and Mather to be English in London in order to provide their Goods and reload for their return, when they are really Spaniards in these Dominions, when by means of them we keep these Indian Nations content so that they do not turn to the Trade of the Americans, which is the principal point, without counting the utility, in the meantime, of having in Pensacola a Merchant like Pantón who will prevent the price of the large annual present to the Indians from being charged to the Treasury, and who pays the royal export and import duties laid down in the *cédula* of Commerce;¹⁶ in addition to all the foregoing, Alexander McGillivray, of whom Your Excellency is informed, has an interest in the commerce by association. He is the Commissary to the Indians, is able to manage them with absolute dominion, and is able to make them embrace the side he orders; and whether he does it for love of the Sovereign, or for his private interests, it is necessary to favor a person, who uses his powerful influence with which he rules the Indians to the greatest advantage in the present circumstances.

All men work in the expectation of a reward in honor or in fortune, and, since McGillivray enjoys only the simple distinction of Commissary to the Indians with the salary of 50 *pesos* per month, he is not sufficiently recompensed in the first manner. Therefore, to deprive him of the profits of the second presents serious difficulties; and so, in view of these facts, and because the present critical circumstances do not permit a change, we are of the opinion that they [Pantón and Mather] should continue on the same footing for a while longer, at least until the settlement and demarkation of the boundaries, for if they persevere in their determination to retire from the trade we do not know what measures remain to be taken. The best thing to do now is to advise you so that you may inform His Majesty on this point in order that he may deign to decide the method that he deems proper, for we are desirous of obeying the superior orders that are communicated to us. . . .

Estevan Miró Martín Navarro

His Excellency the Marqués de Sonora.

¹⁶*Cedula* of January 22, 1782. This *cedula* is printed in A. P. Whitaker, *Documents Relating to the Commercial Policy of Spain in the Floridas* (DeLand, Florida, 1931), Document No. IV.

McGILLIVRAY TO O'NEILL, LITTLE TALASSIE, APRIL 11, 1787¹⁷

Sir

The bearer hereof named Cooseah Informs me that some white Ground or Cornhalke Indians had killed some of Doctor Rubys¹⁸ cattle of which your Excellency Spoke to him about. I have been So much engaged of late that I had no Time to enquire into it but Shall the first meeting, which will be next month.

I had already Informed Your Excellency that I intended to go this Spring & hold a grand assembly of all the Middle & Lower Creeks and Semanories,¹⁹ & the last week I Sent a Messenger to notify to the chiefs of those parts to assemble themselves as Soon as Convenient for I woud be down among them to give them my Talk.

My messenger returned here yesterday & I received a Notification from Colonel White²⁰ that he was a Commissioner appointed by Congress, & that he was Just come from Philadelphia to hold a Conference with this Nation to make peace & that he woud be in the Lower Towns very soon to meet me.

I mean to set out for the Cowetas in four days & if Colo. White is in those parts. on my arrival there I will on my return Inform Your Excellency of whatever passes between us if we See each other. I had the Satisfaction to make that Scoundrel McMurphy run off as hard as he coud for his life.

I can assure Your Excellency for a Certainty that a general Indian War rages from the lakes of Canada through all the American out Settlements to Cumberland some of which are effectually broke up. Mr. Surveyor Hutchins²¹ I doubt has come but bad Speed in his appointment to Survey Lands

¹⁷A. G. I., P. C., 202.

¹⁸A year later McGillivray's sister, Mrs. Durant (or Durand), was so far in debt to Ruby that she had turned over some of her Negroes to him. On March 1, 1788, McGillivray wrote to O'Neill to get help to redeem them. A. G. I., P. C., 201 (photostat in the McClung Collection, Lawson McGhee Library, Knoxville, Tennessee).

¹⁹McGillivray to O'Neill, March 4, 1787. The original of this letter is in A. G. I., P. C., 177. A more legible copy is in legajo 200. Photostats of both are in the McClung Collection. The letter is published in J. W. Caughey, *McGillivray of the Creeks* (Norman, Okla., 1938), 144. In this letter McGillivray stated that he had heard that the Georgians had sent a man (Colonel McMurphy, it seems) to murder him. This, however, would not deter him from attending the proposed assembly. He asked O'Neill to furnish six hundred pounds of powder to supply some towns that had recently turned against the Georgians. He reported that an attack had just been made on Cumberland by some Shawnees and Talassie and O'Forkee Indians, which surprised him because the Talassies had always been friendly toward the Americans.

²⁰Colonel James White, sometimes known as Doctor James White, became the congressional superintendent of Indian affairs for the southern department in 1786. *Journals of Congress* (contem. ed., Philadelphia, 1777-1789), XII, 136. He later became involved in the Spanish intrigue. He should not be confused with the James White who founded Knoxville. *Contra*, Caughey, *op. cit.*, 147, n.

²¹Thomas Hutchins, as lieutenant of engineers in the British army, surveyed the Cumberland and Tennessee rivers in 1768-1769. S. C. Williams, *Dawn of Tennessee Valley and Tennessee History* (Johnson City, Tenn., 1937), Chapter 25. At the time this letter was written Hutchins was surveyor-general of the United States. See biography in the *Dictionary of American Biography*, IX (New York, 1932), 435.

on the Ohio River. Some of his assistants are killed by the Indians as they took some plans & drafts among other papers, which they did not bring home but gave to Some Cherokee traders.

I have been unwell Some Time past & Sorry to Inform Your Excellency of the Sudden Death of my Interpreter Moniac, who died of a Dry belly ache. I feel his loss, he was a Just & faithful man in his place. I Shall never have Such another again. . . .

Alex. McGillivray.

his Excellency Governor O Neill
[Addressed on back:]
his Excellency Arthur O Neill Esq.
Governor & Commanding in Chief,
West Florida Pensacola

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, APRIL 27, 1787 (ENCLOSURE)²²

No. 1

The Merchant here, Mr. William Panton, informs me that he has assurances that the American Colonel White has been appointed by the Congress of the United States to go to the lower Creeks and Town of Coweta where he desires to confer with Mr. Alexander McGillivray who must attend a Congress or Assembly of the said Nation, in the said Town to treat of their difficulties with the Americans.

The said Town of Coweta for all reasons, and even by the preliminary Articles of Peace between the English and the United States, is considered within the Dominions of our Monarch, which fact caused me to think that I should tell you of the misgivings I have that the Americans, whose threats last year were insufficient to attract McGillivray and the Indians to their side may procure it at this time by flattery, presents or other stratagems, for which reason I am of the opinion that it would be well to send to the said Town the Interpreter, Antonio Garzon, to find out what is going on, and to remind the Indians by the presence of a Spaniard of what our Friendship ought to mean to them; and at the same time Garzon could repeat orally to McGillivray what you tell me in your very confidential communication of the 24th of March last;²³ and by this means under the pretext of buying

²²A. G. I., P. C., 37. Enclosed in Miró to Sonora, Confidential No. 11, June 1, 1787.

²³Miró to O'Neill, March 24, 1787, A. G. I., P. C., 4 (photostat in the McClung Collection). It is printed in Caughey, *McGillivray of the Creeks*, 145. Miró told O'Neill that the protection given the Creeks required that McGillivray listen to Spanish advice. The chief was to be instructed not to attack unless obliged to do so by the Americans, for if the latter were exasperated all the states would combine and crush the Creeks. The attack on Georgia in 1786, although made without consulting the Spaniards, Miró thought justified. For that reason munitions were supplied, but if the large amount for which McGillivray was asking was furnished, it would mean war with the United States. O'Neill could give one hundred guns as presents to the chiefs, and if the Creeks had to defend their lands, more could be given. Unless provoked, however, it would be best for the Indians to keep quiet until it was seen whether the boundary dispute between the United States and Spain would force the latter to make common cause with the Indians.

Cattle and Horses in that district, which cannot be objectionable, we will know definitely what goes on. In any other way we cannot assure ourselves of favorable results from so many Assemblies of Indians, who are generally looking after their own interests, and therefore what Security is there of the steadfastness or loyalty of McGillivray himself? You will please answer as quickly as possible. In the meantime Antonio Garzon will hold himself in readiness for whatever you decide. . . .

Arturo O'Neill

Señor Don Estevan Miró.

[Translation]

MIRÓ TO O'NEILL, NEW ORLEANS, MAY 4, 1787 (ENCLOSURE)²⁴

Confidential

I am informed of what you communicate to me under date of the 27th of last month about Mr. William Panton having informed you that Colonel White, an American, was due to go to the Town of Cohuita [Coweta] to confer with Alexander McGillivray about misunderstandings, and I find very opportune your proposal to send Antonio Garzon, in order that he may ascertain what goes on, and may with his conversations keep McGillivray and the principal Chiefs of that Nation on our side.

Garzon should make McGillivray understand that we have no objections to their becoming reconciled to the Americans and settling their disputes about boundaries on the Oconee up to where the Indians have a right; for this is not contrary to their keeping themselves under the protection of our Sovereign, since it is their duty in this respect not to admit commerce, nor American traders; for if they did that they would fail in what they promised in the Congress, and in the gratitude they owe for the trade and help they have had since then from our Government.

If McGillivray admits the aforesaid Colonel to a conference it seems useless for Garzon to try to persuade them [the Talapuches] not to make an attack this year, as I told you under date of March 21, and in this case it will be sufficient to tell him that whenever he needs it he will find in you and in me the help they solicit, principally for defense, and that we are able to supply them: therefore you will give the 600 pounds of powder that he recently requested, and the one hundred offered them on my part, in case you know that the fifty which you wrote me were in the Warehouse are not enough, in which case I shall send you another fifty.

In addition to what has been stated you will give Garzon the instructions that you judge conducive to the best service of His Majesty according to the knowledge you have of those Indians, all with the greatest secrecy, verbally, for although such instructions are subject to variations, I do not conceive of

²⁴A. G. I., P. C., 4. Enclosed in Miró to Sonora, Confidential No. 11, June, 1787.

any other means, because it is not best to give written Instructions, for I understand that the Interpreter does not know how to read. . . .

Estevan Miró

Señor Don Arturo O'Neill

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, MAY 5, 1787²⁵

By your communication of the 27th of last month I am informed of the number of Guns, and the quantity of Powder that you are sending at this time for the present to the Indians here, and the other things that you tell me in the said communication about the Indian Commissary, Alexander McGillivray, a copy of whose last letter I have received and am sending to you.

In his last he recommends to me for negotiation and presents a King, another Chief and some Warriors of the Cherokee Nation, who are friendly to our Monarch; and he tells me of having attended an Assembly of the Lower Creek and Seminole Indians and of having remitted to me the results of this Assembly by the King of Talassie, but up to now the said King has not arrived, nor do I know any more of what was done at the said Assembly or Congress. . . .

Arturo O'Neill

Señor Don Estevan Miró.

MCGILLIVRAY TO O'NEILL, LITTLE TALASSIE, APRIL 23, 1787

(ENCLOSURE)²⁶

Sir

I had a great meeting of the Lower Creeks & Seminoles a fortnight ago & I sent the chief warrior of Tallassee with my deputies to your Excellency to which please refer.

The occasion of this is to Introduce the bearer a Great Chief of the Cherokee Indians called the Coweta King & his principal warriors to your Excellency's notice. he is a chief who was in great estimation with the English for his steadiness & bravery & courage in the war against the Americans, which is still kept up by the Chickamauga tribe—the Cowetas made this chief a King of their Town [he] is much respected in the Indian Nation. The reason of his going to Pensacola is to converse with your Excellency as one of the great Captains of the King. If there is any thing that your Excellency has to offer towards the King's Interest & service you may rely on the Integrity of this chief and his warriors. Any thing that your Excellency may be pleased to present them with will be received as a mark of favor & will

²⁵A. G. I., P. C., 37.

²⁶A. G. I., P. C., 200.

add strength to his talks on his return. Having wrote fully some days ago I remain with sincere esteem. . . .

Alex. McGillivray

His Excellency Governor O'Neill
[Addressed to:]

His Excellency Arthur O'Neill, Esq.,
Governor & Commander in chief
West Florida
Pensacola
Cherokee Chief

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, MAY 15, 1787²⁷

I have received your confidential communication of the 4th of this month in which you advise me what to do about the Congress of the Creek Indians at which Colonel White should represent the United States of North America, and as this was held before I received your Letter, as you will understand better by the accompanying Copy of the enclosure I received in the letter from the commissary, Alexander McGillivray, you will please repeat Your Orders. In a separate letter at this time I am explaining my opinion to you. . . .

Arturo O'Neill

Señor Don Estevan Miró.

[Translation]

MIRÓ TO FAVROT, NEW ORLEANS, MAY 15, 1787²⁸

By the Commissary Don Pedro Juzon I have received the Proposition made by the King of the Chickasaws, and the Choctaw Chiefs about the Commerce of Mobile which you enclose to me in communication No. 90.

After having thought the whole matter over with the prudence and care which so important a matter requires, I have decided that the said Commissary shall return to that place and that the Interpreter Fourneret shall be sent from here with the reply that you will give to the Chiefs in case they present themselves and ask for it. . . .

Estevan Miró

Señor Don Pedro Favrot.

²⁷A. G. I., P. C., 37.

²⁸A. G. I., P. C., 4.

[Translation]

MIRÓ TO O'NEILL, NEW ORLEANS, MAY 18, 1787²⁹

I desire with impatience to know the results of the Assembly held in the lower Creeks, and Seminoles, and I doubt not that you have treated with kindness the King, Chief, and warriors of the Cherokees that McGillivray recommended to you as inclined to Our Monarchy. . . .

Estevan Miró

Señor Don Arturo O'Neill

[Translation]

MIRÓ TO SONORA, NEW ORLEANS, JUNE 1, 1787³⁰

Confidential No. 10

Most Excellent Sir

I enclose to Your Excellency a Copy of two conferences recently held in the Choctaw Nation at which the principal Chickasaw Chief was present, and also William Davenport, the Commissioner sent by the State of Georgia to win the friendship and commerce of the Nations mentioned.

Copy number 1 includes the complaints of the Indians about undervaluation given their Peltries in the Store at Mobile, which causes them to buy merchandise at higher prices than in former years: Mr. James Mather who supplies these Nations, and also Mr. William Panton who supplies the Telapuches or Creeks, have told me that in London the price of Deer skins has dropped very much, for which reason they have lost money on what they sent last year, and the Merchants in this City, who send them to France, do not want to pay more than four *reales* in paper, whereas during the time that silver was circulating they paid five.

The former stated to me that he could not sell his Goods at the same prices this year, which has surprised the Indians, who cannot understand the vicissitudes of the trade.

As my main object is to prevent the Georgia Commissioner from achieving his purpose, before giving the Indians the reply they requested, it is necessary to find the means, if possible, whereby the Schedule of prices will not be altered; for without this they will take my arguments very badly; therefore, because Panton, although he has complained like Mather, has not spoken of increasing the price of his goods, I have requested him to give me the lowest possible schedule of prices at which he can supply them to the traders in the Choctaw and Chickasaw Nations, offering him the concession for supplying those Nations if he can satisfy them.

As soon as this is obtained it is my plan, to which the Intendant with whom I always proceed in accord in Indian affairs, agrees, to send the reply

²⁹A. G. I., P. C., 4.³⁰A. G. I., P. C., 86-6-16.

they solicit by Captain Don Juan de la Villebeuvre³¹ of the fixed regiment here, who knows their language and their oldest Chiefs, accompanied by the Interpreter of this City, because of his ability to persuade them. After quieting them about the trade or commerce, he will make them understand the impropriety of admitting American Traders on their lands and the disturbances and bad consequences that may result from this, and will carry a Copy of the supposed Treaty which the Americans made with some Chiefs of little authority last year at Seneca who pretended that they had authority to act for the whole Nation, after which I am confident the continuous endeavors practiced by the United States to separate the nations referred to from fidelity to us will stop; nevertheless the drop in the price of skins in Europe is very embarrassing, and the lack of silver money contributes to the embarrassment, for the Merchants cannot indemnify themselves with articles not transportable to Europe which they are obliged to sell for paper which loses eighty per cent of its value, since there is no other money in circulation.

All this I report to Your Excellency in order that His Majesty may be informed of the designs of the United States, and may give me instructions according to his Royal pleasure. . . .

Estevan Miró

His Excellency the Marqués de Sonora.

[Translation]

MIRÓ TO SONORA, NEW ORLEANS, JUNE 1, 1787³²

Confidential No. 11

Most Excellent Sir

Since my confidential letter no. 7 I have received the enclosed under no. 1 from Mr. Arturo O'Neill, which will inform Your Excellency of the further activities of the United States to attract the Creek, or Talapuche Nation, and my reply, of which number two is a copy, shows the orders I have given for the purpose of knowing the results produced by the American Colonel White.

Your Excellency will also find enclosed under numbers 3 and 4 two translations of the Letters recently written by the Commissary McGillivray, which show the state of this matter referred to, and in view of these I have ordered

³¹Villebeuvre left Mobile on September 24, 1787, and went to Yazoo where he held an assembly with a number of Choctaws and a few Chickasaws, including Chief Franchimastabé. This assembly was held on October 14. Other chiefs visited him from time to time until November 1, when another assembly was held. He seems to have been fairly successful in his efforts to counteract American influence. Some chiefs were persuaded to deliver their Georgia medals and commissions to the Spanish authorities. Through Alexander Frazer, a trader at Yazoo, he later received copies of talks that the governor of Georgia had sent to the Choctaws. A copy of one of these talks is in A. G. I., P. C., 200 (photostat in the McClung Collection). Villebeuvre returned to Bay St. Louis on November 22. Two days later he sent to Miró his reports, which included a memorandum, a list of Choctaw towns and traders, and a journal of his mission, all dated November 24. The originals are in A. G. I., P. C., 200 (photostats in the McClung Collection).

³²A. G. I., P. C., 86-6-16.

the commandant at Pensacola to give the six hundred pounds of powder that McGillivray requests, with the same precautions that he used last year.

I beg Your Excellency to bring these occurrences to the attention of His Majesty, in order that he may deign to approve my conduct, or command that I be communicated the instructions which are his Royal pleasure. . . .

Estevan Miró

His Excellency the Marqués de Sonora.

(Enclosed) Copy of letter, no. 1, O'Neill to Miró, Pensacola, April 27, 1787.
Copy no. 2, Miró to O'Neill, New Orleans, May 4, 1787.

Translation no. 3, McGillivray to O'Neill, Little Talassie, March 4, 1787.

Translation, McGillivray to O'Neill, Little Talassie, April 4, 1787.³³

[Translation]

MIRÓ TO SONORA, NEW ORLEANS, JUNE 1, 1787³⁴

No. 12

Most Excellent Sir

The enclosed translation of the Letter written by the Commissary to the Talapuches, Mr. Alexander McGillivray, to the Commandant at Pensacola will inform you of the results of the Assembly which I informed you in my confidential letter no. 11 was going to be held in the lower Creeks, or Talapuches, and which has left the said Indians more inflamed against the Americans.

It is worthy of note that the Commissioner, John White,³⁵ tried to seduce the Indians by proposing to them to make common cause against a Power that aimed to subject them, for from this act and from the continual steps taken by the United States, not only to attract this Nation, but also the others of these Provinces, it may be inferred that they believe that this is indispensable before taking control of the unlawful boundaries that Great Britain assigned them in the last treaty of Peace, in which view Congress continues firm, not ceding a single one of its points, according to what our envoy informs me under date of June 30, 1786.

Therefore I will not omit any means whatever to keep them [the Indians] devoted to us notwithstanding the critical situation in which I find myself, as I explained to you in confidential letter no. [a blank],³⁶ on account of the difficulty of keeping up the prices in the schedule, because the prices of Deer Skins have dropped in Europe and because Commerce has diminished since, instead of silver, nothing but paper circulates, which circumstances perhaps will make it necessary for me to call a Congress or assembly of the Choctaw and Chickasaw Nations at Mobile, which I beg His Majesty to authorize me

³³Nos. 1 and 2 are printed above. Copies 3 and 4 are not available. The original of No. 3 is found in A. G. I., P. C., 200. It is printed in Caughney, *McGillivray of the Creeks*, 144.

³⁴A. G. I., P. C., 86-6-16.

³⁵James White. "John" was a mistake on the part of Miró.

³⁶The number left blank should have been 10.

to do because it cannot be held without giving an extraordinary present [to the Indians], the only effective remedy to oppose the designs of the Americans.

The repetition of the Congress from time to time is almost necessary, whenever there is a Power that intends to work against us; as the French and English did, who, when at war drew to themselves the Nations referred to, and to this end the defunct Captain-General,³⁷ in the instructions given to Colonel Gilberto Antonio Maxent,³⁸ who was to work under my orders, inserted the following article: "If it is thought necessary, in order to economize His Majesty's goods and to save rations, the cost of which has been considerable during the War, a Congress will be held every year at the indicated places, where the presents will be distributed as the circumstances demand."

The expense of the Congresses, which I held in Pensacola and Mobile, taught me that they cannot be held every year, and that on the contrary they should be avoided when possible, because the expense is great in rations as well as in Presents for the large gathering of Indians, and therefore I will not do it unless authorized as indicated above, and only then in case I think it absolutely indispensable, for which reason I beg Your Excellency to communicate to me the orders on this matter that may by pleasing to His Majesty. . . .

Most Excellent Sir
Estevan Miró

Duplicate

His Excellency the Marqués de Sonora,

(Enclosed is a translation of McGillivray to O'Neill, dated at Talassie, April 18, 1787.)³⁹

³⁷Bernardo de Gálvez, viceroy of New Spain and captain-general of Louisiana and the Floridas, died in Mexico City on November 30, 1786.

³⁸As part of the Spanish plan for attracting the Indians who had been on the British side during the American Revolution, Colonel Gilberto Antonio Maxent (or Gilbert Antoine de St. Maxent) was appointed "Lieutenant of the Governor and Captain-General in all matters relating to the respective Indian Nations that inhabit the Provinces of Louisiana and West Florida." The appointment, dated October 30, 1781, was due to the recommendation of Bernardo de Gálvez. It was intended that Maxent should be a combination of Indian superintendent and Indian merchant, and that he should handle everything relating to the savages, including trade, presents, and judicial and military affairs. A copy of his instructions, dated July 14, 1783, is found in Archivo Nacional de Cuba, Floridas, legajo 2, No. 2. Other data are found in Archivo Nacional de Cuba, Reales Ordenes, libro VII, 22, 215-224, 383, 449.

³⁹The copy of McGillivray's letter is found in A. G. I., P. C., 202. It is printed in Caughey, *McGillivray of the Creeks*, 149. There is a photostat in the McClung Collection. McGillivray reported the failure of Colonel White at Coweta. The Indians, he said, were disappointed that White did not have full powers to do them justice. To White's conciliatory talk the Indians replied by laying all the blame on the Georgians and by saying that they expected Congress to take steps to remove all causes for their complaints. McGillivray reported that he had given orders for retaliation against the Georgians for prisoners seized at Augusta unless satisfaction were given within thirty days. He ended by asking for ammunition for other towns that had turned against Georgia and Cumberland.

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, JUNE 2, 1787⁴⁰

I have sent you a Copy of that which McGillivray informs me has been treated of in the lower Creeks and Seminoles, where Colonel White was.

I have ordered that gifts be given to the Cherokee Indians, and also that they be courted with long talks. . . .

Arturo O'Neill

Señor Don Estevan Miró.

[Translation]

ZÉSPEDES TO SONORA, ST. AUGUSTINE, JUNE 3, 1787⁴¹

Number 18

Most Excellent Sir

In a letter of January 5 last, which, with the reply, I copied for you in confidential representation number 16 of March 30 last, the Mestizo Mr. Alexander McGillivray advises me that the Georgians, now more pacific, have invited the Indian Chiefs to a Congress in the coming month of May. Although I have had no direct information since from the said Mestizo, the enclosed Copy of Letter number 1⁴² which the Storekeeper of Pantón, Leslie and Company at St. Mark's wrote to his Chief will inform Your Excellency that the said Congress was held, not very much to the satisfaction of the Americans, and this notice is also confirmed by the Georgia Gazettes. I have not yet learned what determination was taken by that State, but it is easy to believe that it was not hostile in view of the internal dissensions from which all the American States are suffering at present; I have sent a Copy of the same to Don Diego de Gardoqui, over the route by which I recently received a letter from him, for whatever it may mean to the Royal service, because I am charged to communicate its contents to the other Officers of His Majesty on these Frontiers. I enclose a copy to Your Excellency under number 2. . . .

Duplicate

Vicente Manuel de Zéspedes

His Excellency the Marqués de Sonora.

⁴⁰A. G. I., P. C., 37. O'Neill had written on May 21, 1787, advising Miró that Garzon could inform McGillivray of the six hundred pounds of powder that were to be given the Indians. O'Neill said that he had also instructed Garzon to go to other towns besides Talassie to see if anything was being done contrary to Spanish interests. He also thought that McGillivray's authority over the nation should be checked, for he was beginning to act as though he were the chief of an independent nation. O'Neill's letter is in A. G. I., P. C., 37 (photostat in the McClung Collection). It is printed in Caughey, *McGillivray of the Creeks*, 152.

⁴¹A. G. I., P. C., 86-6-16. Vicente Manuel de Zéspedes (or Céspedes) was governor of East Florida.

⁴²McLatchy to Leslie, Cabanny, May 14, 1787. The copy mentioned is in A. G. I., P. C., 86-6-16 (transcript in the McClung Collection). It is printed in Caughey, *McGillivray of the Creeks*, 151. McLatchy stated that at the assembly a famous Indian orator called on the chiefs who had made the treaty with the Georgians to tell by what authority they had ceded lands belonging to the whole nation. White, he said, tried to get the chiefs to speak up but they would do nothing, much to his confusion.

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, JUNE 8, 1787⁴³

With your communication dated 18th last I received the copy of the complaint made to you by the Chie and Choctaw Nations, and the accompanying schedule of prices for the trade in Skins at Mobile, and at my request Mr. Panton gave me the enclosed paper which will show you what he offers in this particular.

It was rumored a month ago that the Choctaw Nation asked the Creeks for the privilege of passing through their Lands in order to go to Georgia to carry on their trade because that at Mobile did not suit them, but the Creeks did not consent. This needs Confirmation, for up to now Mr. Alexander McGillivray has not informed me of the matter, but it is True that the said Nations complain bitterly of the Commerce at Mobile,⁴⁴ about which I am informed the residents themselves murmur. With frankness I offer you my opinion which is that the said Nations and others, and their traders, should carry their Peltry to Mobile, New Orleans, Pensacola or Apalache [St. Mark's], or wherever they find it most Convenient and that they shall sell to, or trade with, whomever furnishes them the goods at the cheapest prices, and that the Commissaries or persons in charge in each Nation should arrange for the Merchant creditors in each of the said places to be Paid by the traders for that which they receive on credit, without prejudice or preference for the one or the other, and that at the same time, in so far as possible, Mather sell at the same price as the House established here, and if it happens that in all this the whole trade goes to one of the said Houses without prejudice to free Commerce, it would be preferable. . . .

Arturo O'Neill

Señor Don Estevan Miró.

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, JUNE 16, 1787⁴⁵

Confidential

In answer to your confidential communication dated May 31 last I should say: that although up to the present I have not noted any change in the conduct of Mr. Alexander McGillivray, who is constantly opposed to the ambitious pretensions of the Americans: Nevertheless the different Assemblies of Indians he attends, at which the Commissioners of the United States of America are usually present, are followed (according to what appears in the *Gazettes*) by correspondence between the two parties and will cause unfavorable consequences I fear. I wish that we knew through some of our own citizens what goes on in the Indian Nations, because no Spaniard appearing there causes all the Consideration of the Indians to fall on McGillivray

⁴³A. G. I., P. C., 37.

⁴⁴See Miró to Sonora, Confidential No. 10, June 1, 1787, for comment on the difficulty at Mobile.

⁴⁵A. G. I., P. C., 37.

alone, who acts under our protection in everything on his own authority as a Chief of a Tribe of the said Nations and not as a Vassal of our Monarch.

On the other hand I consider him always greatly inclined toward the British and if some incident occurs with England I think it will be best to watch him.

Nevertheless for the present I am not averse to him, and in the meantime I am waiting to find out the decision of the Indians in their present Assembly at Tuckabache which I expect will be favorable to us, considering the fact that they assure me that they have recently killed three Americans en Route to the Cumberland settlement and that the Georgians have hanged one of the Talapuche Chiefs that they held prisoner.⁴⁶

Finally it remains for us to watch McGillivray's procedure for the better reception and tranquility that I ought to be able to expect from the lower Creeks toward the detachment and establishment at St. Mark's.⁴⁷ . . .

Arturo O'Neill

Señor Don Estevan Miró.

McGILLIVRAY TO MIRÓ, LITTLE TALASSIE, JUNE 20, 1787⁴⁸

Sir

A considerable time is past since I had occasion to write to your Excellency. I now take this opportunity to inform you of our occurrences of the past Spring.—

Your Excellency will recollect I wrote you in the last winter respecting the Americans requesting our chiefs to conferences proposed to be held at Oconee, & from the Friendly language held forth in their invitation I was in hopes to have settled our differences in an amicable manner, & great was our astonishment when we found ourselves disappointed in our reasonable expectations & from the tone they assumed in their Talks, & the forcibly seizing & detaining five warriors of note, fully convinced us that no reliance was to be placed in the professions of a people equally regardless of their "Sacred Honor" pledged for good faith, as destitute of every principle of humanity & justice. Four of those warriors are returned & one they give out & very improbably that he hanged himself.

At a General Convention we held in April last, it was resolved to adopt speedy & vigorous measures to defend & maintain our claims. Just as the Chiefs were all met for deliberation a Mr. James White arrived & he announced himself to be a Commissioner from Congress to treat with our Nation & he was admitted to explain the nature & purport of his Commis-

⁴⁶For accounts of the war see R. C. Downes, "Creek-American Relations, 1782-1790," *Georgia Historical Quarterly*, XXI, No. 2 (June, 1937), 157-165, and A. P. Whitaker, "Alexander McGillivray, 1783-1789," *North Carolina Historical Review*, V, No. 2 (April, 1928), 195-198.

⁴⁷Panton established a store at St. Mark's during the last year of the Revolution. At the request of McGillivray a Spanish garrison was stationed there early in 1787. Cf. *infra*, Miró to McGillivray, July 13, 1787.

⁴⁸A. G. I., P. C., 200.

sion, but he not having powers to remove the causes of our discontents his propositions towards concluding a peace were rejected with contempt by the unanimous voice of the whole nation. The advocates for the American Interest deserting them & joining their voices on this occasion.—

The Commissioner White found we were meditating plans of a hostile nature, he made such strong assurances that Congress were ignorant of the true causes of our Differences with the Georgians owing to the misrepresentations of those people but that he could now Inform them of the true state of affairs, & Intreated us to postpone our Intended attack upon Georgia untill Congress should take matters into consideration to give us satisfaction of which we are to learn the result in August next. The request he made was readily granted by me. as wishing to take every opportunity to inculcate ideas of humanity in the minds of my people & to moderate as much as possible the ferocious manners natural to a savage people.

About the middle of last month arrived here a considerable deputation from the Northern Nations. They are chiefs of the Iroquois, Hurons, Mohocks, Oneidas & Shawnese, on the part of the Northern Confederacy consisting of mostly one Nation, or Tribes that inhabit about the lakes & on the waters of Ohio & Wabache with the Chuccamasos. We received them in full convention of our Nation. They say that they were sent to renew & strengthen the chain of general union formed with us in the years 77 & 79, & that since the late peace they had causes of discontent similar to ours respecting American encroachments in the western country upon the Ohio & that the Northern Nations desired to have our advice & what conduct to pursue & that they were ready to join their army with ours, for a general defence against all invaders of Indian rights; that they had already destroyed partys of Americans that were surveying the Western Country. We gave them assurances of a general concurrence in every measure for restraining the Americans within proper bounds, & desired them on their return to Detroit they would notify to the Americans the resolutions of the General Confederacy formed among the Indians from a conviction that it was necessary to their preservation & were determined to attack all attempting to extend their proper limits. & permit no surveyors to roam through the Western Countrys of Ohio or Wabache—This they have agreed to & are to return or send some chiefs to this Nation in November next to concert matters as occasion may require. This being a week ago the state of our occurrences. & expected that there was a prospect of their continuing so till August next. But we are precipitated to other measures by the recent murder of Six Cussitah Indians by the Georgians perpetrated with marks of barbarity on the mutilated carcasses. that shocks the feelings of even every Indian who beheld them dead & what aggravates the Infamous action is that those Indians were hunting for the American Inhabitants & were Innocent of any crime to justify such an act & those Indians were likewise serving as a life guard to those treacherous people. This certainly merits a severe chastisement which they shall in due time receive.

We have received five thousand w't of ammunition from your bounty when we apprehended an attack from the Americans last year, which I had

deported to Magazines. Upon a calculation I made this Spring at one pound a man. We have near nine hundred warriors who have none. I have therefore to request of your Excellency's goodness for a further supply of one thousand weight more for to compleat our warriors. We have to begin the war & it may not be soon ended without we destroy that province at the first blow. & a pound a man is barely sufficient to go through a campaign. I entreat of your Excellency to grant this request as a non-compliance, will not only hurt my credit but be of infinite disadvantage to the King's service in the future. I shall expect to receive orders to get it from Pensacola by return of this messenger whom I've instructed to use expedition on his journey as we wait his return to enter upon action.

The Chickasaws have behaved in a most ungrateful manner. 'tis my opinion that if ammunition & other necessarys be stopt or prohibited to them for a season it will effectually open their eyes & understandings to behave as they in duty bound ought to do, for the great favors that have been extended to them from your Excellency's good will. We have a prisoner from Cumberland who gives account that those settlements are in great confusion & great distress owing to their own [Cabals?] & an Indian war which is general on them . . .

Alex. McGillivray

His Excellency Colonel Stephen Miro
Governor &c. &c. of Louisiana and Florida

MIRÓ TO MCGILLIVRAY, NEW ORLEANS, JULY 13, 1787⁴⁹

My Dear Sir

I am favoured with yours of the 20th June in which you advise me of the last occurrences in your Nation and will, according to your desire, transmit to governor O'Neill the Information contained in it. By him you will be informed that agreeable to your wishes and in order to protect the Indian Trade of those Parts I have sent a detachment to San Marcos de Apalache to construct a Fort capable of defending the Indians in that Quarter and I hope on your side you will contribute as far as lies in your power to the attainment of the Ends we mutually propose to ourselves by this Establishment . . .

M

Alexander McGillivray Esq'r

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, JULY 18, 1787⁵⁰

I am sending you a copy of the letter from the Trader in the Choctaw Nation, Alexander Frazer, in order that you may be acquainted with its Tenor. This person I consider honorable and of good conduct. . . .

Arturo O'Neill

Señor Don Estevan Miró

⁴⁹A. G. I., P. C., 200.

⁵⁰A. G. I., P. C., 37.

FRAZER TO O'NEILL, YAZOO, JUNE 12, 1787 (ENCLOSURE)⁵¹

Sir

A Chickasaw Indian Came here the other day from his Nation on private business to Some of the Traders & was at my House for two days—He informs me that the Americans had at last prevailed on the Headmen of the Chie Nation to make them a Cession of a Tract of Land on the Chickesaw Bluff on the River Mississippi where a Number of Battoes with Indian Goods are arrived—The Said Indian also informed me that the Generallity of the Chickesaws are rather averse to what their Headmen had done on that occasion & are murmuring that now the Americans had obtained one piece of Land in the Neighborhood of their Nation they might Soon expect to hear of further encroachments on their Hunting Grounds—This being all the News which is at Present Current this Way I conclude . . .

Alexander Frazer = His Excellcy. Govr. O'Neill

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, JULY 20, 1787⁵²

Pensacola, July 20, 1787

Friend and Master, I enclose two letters for you and the Intendant from Mr. Panton whose propositions seem to me acceptable, now that I think there will be no others, and because the Commerce at Mobile is in a deplorable state, and the friendship of the Chockedaws [Choctaws] and Chickasaws and Chies is in a worse state, so that it will not be easy to win them again. I have spoken to him in favor of Folke⁵³ but he insists on carrying on the commerce at Mobile only on the same terms that it is carried on here and at St. Mark's. He says that he will let Folke have goods so that through other traders he may be useful there and may better himself through commissions on other goods which will be easy to send from this Capital if it injures the sale of peltries. When you answer Panton it will be well to deal with the matter, conceding the commerce to him on the terms used here and at Apalache, all because of his particular merit. . . .

Arturo O'Neill

Señor Don Estevan Miró

BENJAMIN JAMES TO MATHER AND STROTHER, CHOCTAW NATION,

JULY 23, 1787⁵⁴

Gentlemen:—

I received your letter four days ago which has been a tedious time coming to hand. I am sorry to hear that my name should be called in question upon

⁵¹A. G. I., P. C., 37.

⁵²A. G. I., P. C., 37.

⁵³Vicente Folch, later commandant at Mobile and finally governor of Pensacola.

⁵⁴A. G. I., P. C., 200. According to Downes, *op. cit.*, 155-156, James was appointed to replace John Wood as Georgia agent in the Choctaw nation. He was promised a supply of ammunition for the Choctaws if he could give assurance that it would be "directed to the proper object."

such reports as I have allways bin a friend to your House and Spanish Government since the British left the Country. it is true the State of Georgia appoynted me for to act for them in this Nation and Wm. Davenport as Commissary. My reason for Countenancing the matter so far as I did was that I had three Negroes in Cumberland Settlement. A man of the name of Amey⁵⁵ that had his Property Confiscated last Jan at the Natches, last summer on his return back home, went to Cumberland and was for detayning my Negroes sayd that I acted as Commissary for the Spaniards in this Nation. I immediately sent of [off] twelve Indians for my Negroes who fetch'd them to me, after which I received a letter from Capt. Favorot [Favrot] at Mobile much to the same Purpose as what you write me to consider myself a Spanish subject and pay no regard to Devenport. for he was only a Bankrupt and to that Purpose upon which I desired him to take the Comitions and Papers and return from whence he came.

Upon which he took me at my word and went to the Chickesaws as I am informed from there to the Chickesaw Bluffs where all the great reports has bin about a store of goods there cargoe [*sic*] as I am informed by others for I have not the least connection with them consisting Chieffly of ruffle guns flour and whiskey the dry goods not worth mentioning. the Chickesaws ordered them into the Nation and there to dispose of it. Some part of it they fetched into the Nation and there came a party of twelve Creek Indians and a boy with a pretence to buy rifles and fell upon them and killed & scalpt Wm. Devenport Wm. [Kemp?] two of the boats Crew. there [*sic*] names I did not heare and carryed of a white boy Prisoner and Plunder'd the store and took as many gunns as they could carrey. this I had from a man that hope [helped] bury the dead. About fifteen days before that there was a party of three hundred men from Cumberland Came to the Cherokee River where the french boats lay that was trayding and killed eight white men, some of the Creeks, some Cherokee some Dillewas [Delawares] and two Chickesaws. this News I have from Indians so that you may [illegible] no apprehension of any goods coming from that quarter.

The goods that they talked of selling so cheap came from or by the way of detroyt [Detroit] I have never heard of any goods coming from the States as yet to support a trade. I believe that there intentions was only to git a foot holt in there lands. you'll be kind enough to acquaint his Excellency that I hope he will excuse my not coming down at Present as my trade and crop is on hand but if he Chooses I shall come down Immediately I will come. all I ask is justice. I am confident that most of the reports has bin from designing Persons it would be good to ishue some authority con-Straglin [*sic*] Persons since devenport Came to this Nation there has never bin a Month but some other Stragglin People has [?] from the Natches and makes a practice of going backwards and forwards and sculks and harbors about in the Nation and the Nation is so extensive that it is out of my Power to Prevent without some strict authority is Put in Execution. nothing more

⁵⁵Thomas Amis of Hawkins county, Tennessee. After the boats were confiscated, Amis was forced to go home overland. On the way he took occasion to stir up resentment against the Spaniards.

at Present but wish to continue in friendship with your House and Government . . .

Ben'n James

Mess'rs Mather & Strother
Merchants, New Orleans

BENJAMIN JAMES TO JOYCE, CHOCTAW NATION, JULY 23, 1787⁵⁶

Dear Sir,

I received yours by Mr. [Burney]⁵⁷ but it was to [*sic*] times to me coming to hand, I should have sent an answer before, but I expected Mr. Turnbull every day who is not yet arrived. I begin to grow uneasy for him, Old Mr. Lognerd run off from the Chickasaws and informed me that a party of Creeks killed at William Kemp's house, William Kemp, William Davenport⁵⁸ and two men from Kentucky, and took a boy a prisoner and wounded six others, one Creek was killed in the doing of it and there was another party of twenty fellows in search of the wounded, and making strong inquiry after Mr. Turnbull⁵⁹ which if he heard news of that. That I am convinced he would not go out of their way, I do not know that anything has happened but am afraid. The Cumberland people have killed eight of the French traders on the Cherokee River, and a party of Indians, how many I wont say, but by report near a hundred and plundered their boats. After receiving Captain Fouch [Folch] letter desiring me to consider myself as a Spanish Subject. I desired henceforth to leave this land and to send the prisoners back or do with them as he pleased, for I should say or do nothing. In regard to any service I can render the Spanish Inhabitants, am allways willing when properly authorized by government, Since the report about me, the [Natches] people have been flying to their Nation for refuge, and are going backwards and forwards to the Nation. I am apprehensive they will bring us into some trouble, it is out of my power to prevent it without lawfully authorized by Government, I am . . .

Benj. James

To Mr. John Joyce.

⁵⁶A. G. I., P. C., 52. John Joyce and John Turnbull were in charge of Mather and Strother's store at Mobile. See McGillivray to Miró, July 25, 1787, for comment on James. Joyce and Turnbull are discussed in Folch to Miró, April 26, 1788, A. G. I., P. C., 52 (transcript in the McClung Collection).

⁵⁷Probably Simon Burney whose declaration of October 9, 1784, appears in the first installment of these "Papers," *Publications* No. 9 (1937), 120.

⁵⁸Davenport was killed on McGillivray's orders. Cf. McGillivray to Miró, July 25, 1787. See also McGillivray to Miró, December [?], 1789, A. G. I., P. C., 200 (photostat in the McClung Collection).

⁵⁹Cf. note 55. Later as a private trader violating the monopoly of the Indian trade, Turnbull was a thorn in the flesh of Pantón and his associates.

MCGILLIVRAY TO MIRÓ, LITTLE TALASSIE, JULY 25, 1787⁶⁰

Sir

I did myself the pleasure of writing your Excellency a full account of our occurrences by Tapulca, a Tuskegee Chief. & soon after his departure we received information that the forces of the Cumberland had attacked & killed several frenchmen traders on the Cherokee River at the Muscle Shoals together with some of the Indians who were there trading—notwithstanding at the same time that the Americans meant to erect a fort on that place. In consequence of which information, I dispatched about six hundred warriors to the Cherokee River to prevent the Americans from their purposes & to attack Cumberland. I shall now expect their return.

Your Excellency shewed me when in Orleans a Talk between the Americans & Chickasaws & Choctaws in which those Indians had granted to the Americans spaces of Land five miles square, whenever they should chuse to build stores for merchandise &c. I had lately been informed that Davenport the American emissary in the Chickasaws was about building a fort for the reception of the Americans near to the Chickasaw nation & being sensible of the ill consequences that would attend the completion of such a measure & being desirous to be truly informed, I sent a party that know the Country to examine about the Chickasaw Bluff & Wolf River & desired them that if they found the report to be true to return speedily with the information. The party has returned five days ago with a German Lad, a prisoner. The Leaders' report is as follows: . .

That he proceeded to the Choctaw Nation in the upper part toward the Chickasaws expecting to obtain some information but he found the Choctaws of that part friendly toward the Americans as the Chickasaws untill meeting with an acquaintance who informed him that the Americans were building in about four Leagues of the Chickasaws, upon which he proceeded toward the place with his party & found his information true. & while he was deliberating what to do or what Strategy to make use of as the Americans were much superior in number. A messenger arrived with a letter to the Americans whom upon reading the letter appeared much alarmed & began to handle their arms. This determined my Indians to commence the attack without delay & after an obstinate & hard fought skirmish they took possession of the work which was just begun, with about eighty stand of new rifle guns together with axes, spades &c.—the party lost one man & the Americans eight, when they fled & escaped.

A few Chickesaws & Choctaws stood near by speechless of the engagement & upon the defeat went off with their friends. The prisoner boy speaks

⁶⁰A. G. I., P. C., 200. McGillivray sent the information given in the first paragraph to O'Neill in a letter of July 10, 1787. Most of what is in the remainder of the letter quoted here was given in another to O'Neill on July 25, 1787. Both letters are in A. G. I., P. C., 200 (photostats in the McClung Collection). They are printed in Caughey, *McGillivray of the Creeks*, 155, 158. In the letter of July 10, McGillivray stated that Antonio Garzon had been in the lower towns buying cattle with pretty good success. He seems not to have suspected that Garzon was sent to spy on him.

good English. He reports that Davenport was present & was first killed & another officer from Cumberland called Allen.⁶¹

The fall of Davenport will greatly weaken American influence among the Choctaws & Chickesaws a number of whom appear much in that interest. I have two days ago sent the Northern & our Talks to those people for their concurrences & to declare themselves openly, Whether we are to consider [them] as friends or not & if it should happen that a rupture takes place, I hope your Excellency will issue such orders that those Nations shall not receive any supplys until matters are made up to our mutual satisfaction.

Benjamin James, a Choctaw trader, was greatly instrumental in establishing Davenports influence. the Indians about him were much averse to & tryed to stop my people & he was the man that sent a mesenger to inform Davenport just before he was attacked of my peoples approach.

He wrote a letter to me last month asking permission for him to open & carry on a trade with the Americans through this Nation declaring an intention of advising the Choctaws to be peaceable & friendly with every people, &c. this letter I intended to enclose to your Excellency but I have Mislaidd it & can't find it but this I wish you to know as I have been told that you have confidence in him concerning Indian affairs in the Choctaws.

I received a letter from his Exc'y Governor O Neill only last Month advising me that a Lieut. Verduca [Beturcat]⁶² was arrived at Pensacola with a detachment of troops from Orleans to go to St. Marks Apallachy I sent to the Semanoles to secure them a favorable reception & shall hear in a few days how they are settled.

With respect to the Georgians we have not yet attacked them to retaliate the murders committed by them but have demanded satisfaction in form & we wait their answer which in toto is arrived at the Lower Towns to which place I go in a few days. This is the present state of affairs with us. Any new occurrences you shall know of as they occur. . . .

Alex. McGillivray

His Excellency Governor Miró

We woud be glad to be favored with a suit of Royal colors of the new kind.

⁶¹The editors have been unable to identify with any degree of certainty the Allen of Cumberland mentioned. In a letter from James Robertson to John Sevier, August 1, 1787, printed in A. W. Putnam, *History of Middle Tennessee* (Nashville, 1859), 285, telling of the death of Davenport, no mention is made of any Cumberland settler being killed in that raid on the Chickasaw Nation. Putnam, however, citing Haywood's *History*, refers to a Creek raid on the Cumberland settlements during the summer of 1787 in which a John Allen was shot but not killed. *Ibid.*, 257. In 1797 a James Allen from Cumberland was residing in the Chickasaw Nation. He later served under John McKee, agent to the Chickasaws, as an interpreter. S. C. Williams, *Early Travels in the Tennessee Country* (Johnson City, 1928), 379, n.

⁶²Luis de Bertucat.

[Translation]

MIRÓ TO O'NEILL, NEW ORLEANS, AUGUST 3, 1787⁶³

The Copy of the Letter of the trader in the Choctaw Nation, Mr. Alexander Frazer, informs me of what occurred between the Chickasaw Nation and the Americans, in the month of July just past, about which I already have long reports and I am taking the Measures that are necessary to find out what really was done, for I am assured that the Talapuches have killed William Davenport, one of the Commissaries that came to Natchez to demand the Fort, in the Chickasaw Country.

It is also said that the Inhabitants of Cumberland have killed eight Frenchmen and some Chickasaws, de la Wares [Delawares], and Talapuche Indians on the Cherokee River, which report needs confirmation. . . .

Estevan Miró

Señor Don Arturo O'Neill

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, AUGUST 3, 1787⁶⁴

Confidential

I have received your communication of the 16th of last month in which you insert that which the Commissary Mr. Alexander McGillivray wrote to you, and, being acquainted with its contents, I shall carry out your orders as far as possible. I should advise you that the presents of Powder and balls cannot be made in the quantities prescribed with the dissimulation and secrecy that you suggest to me, for these things are deposited in the royal Warehouses and to take them out the Adjutant of the Plaza, the Officer in Command of Artillery, the Accountant who audits it, the Guard of the Indian Warehouse, the Guard of the Artillery Warehouse, and the Porters and Wagoners who bring it to this Place, must be informed; after which follows the buying, and putting the Powder and balls into sacks to transport, turning it over to the Indians who are not a little scrupulous about its weight and Quality, and the distribution which is made through others as has sometimes been done through Mr. Pantón, in which manner the number of persons knowing about it is increased.

On the other hand the Indians boast loudly about the amount of support they receive from here, and the Americans in Savannah and Charleston openly complain of the action of the Governor of Pensacola and at times threaten to punish his liberality in giving munitions to their Enemies the Creek Indians.

Mr. Alexander McGillivray is far away in the upper Creeks: I have no means of communicating your secret orders to him, unless they be written, because opportunities do not present themselves to send them verbally by persons I Trust. In this matter and in others that may call upon your further

⁶³A. G. I., P. C., 4.⁶⁴A. G. I., P. C., 37.

consideration, you will advise me what I shall do, and, if you think best, you may send orders in English, and I shall forward them to McGillivray with as much secrecy as possible.

The precautions that you urge oblige me in self defense to justify myself by the above explanation in a matter of such delicacy, adding that I shall always do what I can for the best Service of His Majesty and the Fulfillment of your orders. . . .

Arturo O'Neill

Señor Don Estevan Miró.

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, AUGUST 3, 1787⁶⁵

I pass on to you a copy of a Letter that I received yesterday from the Indian Commissary, Mr. Alexander McGillivray,⁶⁶ from which you will learn of the death of Davenport which will bring to an end the difficulty about Natchez. This happened a half day's journey from a Town in the Chies at a place called Wolfcreek, four day's journey from the Mississippi where the Americans are making a large settlement, as I have informed you by a copy of a letter from the trader Frazer, which I enclosed to you in my last letter.

The Creeks have demanded satisfaction from the Georgians for the death of the five or six Indians from the Town of Cussitaw, and up to now it seems they have not received proper satisfaction. Those who killed the American Commissary Davenport and the seven others, and captured a German boy and seventy rifles and twelve blankets, were twelve in number from the Town of Coosadas, their Chief was Mad Tom, and the Americans present were fourteen, without counting some who were a little way off and fled.

Hamarchado, a Chief of the Creeks, with one hundred warriors went against Cumberland and, according to the information I have, they carried the Spanish Flag. Up to the present I am not informed of their procedure.

The said Indian, named Mad Tom, returning to his nation, passed through a town of the Chickasaws, and, notwithstanding the fact that these have been very friendly to the deceased Commissary, no insult whatever was offered him, which circumstance causes me to think that by soliciting anew the friendship of this Nation and establishing the commerce at Mobile on a Solid and equitable footing as soon as possible, the Americans will be forced to retire from the aforesaid Settlement on the Mississippi. . . .

Arturo O'Neill

Señor Don Estevan Miró.

⁶⁵A. G. I., P. C., 37.

⁶⁶McGillivray's letter of July 25, 1787, is printed in Caughey, *McGillivray of the Creeks*, 158. See note 60.

[Translation]

MIRÓ TO O'NEILL, NEW ORLEANS, AUGUST 12, 1787⁶⁷

By the Copy of the Letter of the Indian Commissary, Mr. Alexander McGillivray, I am informed of the death of Davenport, and the ruin of the American trading settlement a half day's journey from a Chickasaw Village, which news I received at the same time from different sources.

The absence of any molestation of the Talapuches, who did the murder, while passing through the Chickasaw villages indicates that the majority of them are devoted to us.

I am informed of the recent attempt of the Talapuches against the Cumberland Settlement, of which McGillivray had already advised me. . . .

Estevan Miró*

Señor Don Arturo O'Neill.

⁶⁷A. G. I., P. C., 4.

*The fourth installment of these "Papers" will appear in No. 12 of the *Publications*.

THE "J. HARTSELL MEMORA": THE JOURNAL OF A
TENNESSEE CAPTAIN IN THE WAR OF 1812

Edited by MARY HARDIN McCOWN

FOREWORD BY THE EDITOR

Jacob Hartsell, the son of Hannah Hartsell, was born in 1786, probably in Pennsylvania shortly before his mother moved with her family to the Watauga settlements. The Hartsell family, descendants of the feudal clan of the barons of the Reich van Hertzele, who resided in the vicinity of the city of Cologne on the Rhine, were among the numerous emigrants from the Palatinate who came to Pennsylvania during the early part of the eighteenth century. Induced by religious persecution and urged by the offers of William Penn, who guaranteed religious freedom in his colony, eight different Hertzels landed in America and took up homesteads in Bucks and Northampton counties, Pennsylvania. One of them, George Henry Hartsell, who settled in Bucks county and established the Indian Creek Christ Reformed Church near Telford, died in 1784. In 1930 a bronze tablet was erected at the church to his memory by the National Association of Hartzells of America.¹

The exact date when Hannah Hartsell moved with her three sons, Abraham, Isaac, and Jacob, from Pennsylvania to the Tennessee country is unknown. According to tradition she was a widow at the time of her arrival, and this view is supported by the complete absence of any reference to her husband in the Tennessee records. On February 19, 1790, Hannah Hartsell purchased from John Hunter, Jr., for £210 thirty acres of land in Washington county, North Carolina, lying on both sides of Cherokee Creek, beginning at William Murphy's line. On July 12, 1794, after the Southwest Territory had been organized, she obtained a North Carolina "50 shilling grant" of thirty acres located in the same vicinity. A third acquisition of land was her purchase in 1805 from John Hunter for \$77.00 of fifteen and one half acres of land also lying along Cherokee Creek in Washington county.²

Although Jacob was the youngest of Hannah Hartsell's three sons, it appears that in 1811 she transferred to him her landed estate by a

¹Jacob Hartsell MSS. (in possession of Mrs. Minnie Jones Cargille, Jonesboro, Tennessee). The name Hartzell may also be found listed among Pennsylvania's Revolutionary War soldiers.

²Washington County Deed Book (in Washington county courthouse, Jonesboro, Tennessee), E, 173, No. 7, p. 186, No. 8, p. 301, No. 11, p. 268. In the Washington County Lists of Taxables for 1796, 1797, and 1798 she is recorded as the owner of sixty acres of land on Cherokee Creek. Her neighbors included the Bolingers, John Creselious, Hosea Rose, Peter Ruble, John Hunter, and Charles Robertson.

covenant or article of Agreement for \$725.00 for the benefit of my other children, to be paid in annual installments, 1/6 part each year, beginning with the eldest—together with the further sum of \$30.00 per annum to be paid me during my lifetime—also firewood furnished me—For this I transfer to Jacob Hartsell all my interest in my tract of land on the brushy fork of Cherokee Creek—75 acres more or less. . . .³

On this tract of land was built, either by Hannah Hartsell or her son Jacob, the manor house in which dwelled four generations of the Hartsell family. It was a large two-story log house with smaller out-houses for the slave quarters, typical of the period. When it was eventually destroyed by fire about 1900, one of the few family pieces saved was an old grandfather clock probably brought south by Hannah Hartsell. The land is still in the possession of the family.

Although many of the neighbors along Cherokee Creek were Baptists and attended the Cherokee Baptist Church, Hannah Hartsell and her family attended the "Old Dutch Meeting House," constructed by the early Lutheran pioneers. No records of this early church are extant, but according to tradition it was built before 1800.⁴ After the Lutherans ceased to use it, some time before 1860, it was used by the Methodists. The building was later torn down, and today "God's Acre" is the only material evidence of its former existence. Beneath one of the crude, unlettered, limestone markers in this graveyard lie the remains of Hannah Hartsell, who died in 1841, leaving an estate of considerable proportions for that day.⁵

Concerning the early life and education of Jacob Hartsell little is known, but one surmises that the godly mother and the "Old Dutch Meeting House" played an important part in both. Before he was twenty-one he was married to Nancy Million,⁶ the daughter of Edward and Mary Million, early Baptist settlers on Cherokee Creek. To this union were born nine children, Mary, Anthony, Delilah, Russell Bean, Hannah, Martin Luther, Emaline, Isaac Washington, and Nancy. Most of these children reached their maturity and married early. Some

³Deed Book, No. 13, p. 39; Minutes of Court of Pleas and Quarter Sessions, 1811-1817, p. 139. The eldest son, Abraham Hartsell, moved to Blount county, where he married a Mary Norton. Isaac Hartsell, the second son, remained in Washington county and purchased land from a William Whitson in 1810 and from his brother Jacob in 1828. Deed Book, No. 12, p. 339, No. 18, p. 142. He served as first lieutenant in Jacob Hartsell's company in the Creek War. He married a Miss Nelson, but little is known of his life.

⁴In addition to the Hartsells, its membership included the Bolinger, Keplinger, Walters, Cresellious, Horne, May, and Coblenz families.

⁵Washington County Estate Records, Undated Inventory. The total of notes and cash was \$1,813.99. The estate was settled on November 30, 1843, by Jonah Lilburn and Orville P. Nelson, administrators in place of Jacob Hartsell, deceased.

⁶They were married on October 3, 1805, by Jacob Brown, justice of the peace. J. Hartsell Memora.

chose to settle on nearby farms, while others moved to distant parts. Martin Luther Hartsell settled in Roane county, Tennessee, and Hannah, who married O. P. Nelson, moved to Kentucky. Isaac Washington married Rebecca Brown⁷ of the Nolichucky River neighborhood in September, 1842, and after his father's death on May 2, 1843, he and his wife moved into the old home with his mother. Jacob Hartsell died intestate, leaving over 1,300 acres of land, besides his home, cattle, sheep, stock, notes, and ready money.⁸

Nancy Hartsell drew a widow's pension for the services of her husband in the War of 1812.⁹ A forceful character, she possessed a keen wit and led a most active life, surviving her husband until 1870. A short time before her death, she united with the Christian Church during a revival led by her son, Isaac Washington, who was one of the early preachers of the Church of Christ, or Christian Church, in East Tennessee. Her will left her entire property to her children, with the unique restriction requiring the daughter's shares to descend to daughters, or daughters of daughters.¹⁰ She was buried beside her husband in the churchyard of the old Cherokee Baptist Church.

Early in life Jacob Hartsell showed traits of leadership, for in 1809 he was appointed by the Washington county court to act as tax assessor, and given the title of captain.¹¹ He served in this capacity until 1815, except for the year 1813, and again from 1826 to 1830.¹² He was a magistrate, or esquire, for many years, performing a great many marriages in the county. He was public-spirited, interested in good roads, a popular money-lender, and was evidently highly esteemed by his fellow citizens of Washington county.

As a result of the massacre at Fort Mims in August, 1813, a call was sent out for volunteers to engage in a campaign against the Creek In-

⁷Rebecca was the great-granddaughter of Jacob Brown, the pioneer who settled on Nolichucky River in 1771.

⁸Washington County Estate Records. The inventory totaled \$2,129.32. The estate was administered by two sons-in-law, Jonah Lilburn and O. P. Nelson, but settlement was postponed until October 15, 1847, because of litigation among the heirs in which the widow was successful. Among the bills paid was one "To George Reed, paid \$7.08 for coffin."

⁹Records of the United States Pension Office (Washington, D. C.). Nancy Hartsell applied on November 18, 1850, aged 63 years.

¹⁰Washington County Will Book (in Washington county courthouse, Jonesboro, Tennessee), No. 2, p. 232.

¹¹The title of captain, used by the esquire who recorded the taxables, was probably a relic of the early military organization.

¹²Washington County Lists of Taxables, 1809-15, 1826-30.

dians.¹³ It is not strange that Captain Jacob Hartsell took the lead in enrolling a company at Jonesboro in October of that year.¹⁴ That he planned to keep a journal of events is indicated by his purchase of a record book and ink powder before the company left Washington county.¹⁵ The book purchased was six and one-half by eight inches in size, with brown cardboard binding, and containing 80 pages. This little book and other Hartsell manuscripts are packed into a small hand-made walnut chest of Jacob Hartsell. They are the prized possessions of a great-granddaughter, Mrs. Minnie Jones Cargille, of Jonesboro, Tennessee.

It is this journal which gives us the real insight into his character, depicting a man of above-average intelligence, with the habits and training of a farmer. All along the route of march to Alabama he took note of the soil, the variety of trees, the water courses, the hills, and the valleys; all were of great interest to him. Though not a trained militiaman, he drilled his men until they excelled all other companies. He was on the alert to provide daily rations for both men and horses. He faithfully discharged the responsibility he had assumed. The Indian life was novel and of interest to him. In short, he was a mountaineer who was seeing the outside world for the first time. He abhorred sham and deceit, especially among officers, and was bold to speak against it. Naturally of a social nature, he enjoyed companionship with the other men, and was always looking up his former friends and comrades. On this campaign, he made the acquaintance of John Ross,¹⁶ the Cherokee chief, and kept an interest in him in later years. A lover of music, he was mindful of its effect on his men during service. Through no fault of Hartsell's, the Second Regiment, to which his company belonged (Col. William Lillard's), was detained at Fort Armstrong for almost two thirds of their three months enlistment period. Although they had not actually participated in any battles, when the call came to enlist for longer service, his men voted to go home, for as Hartsell said, most of the men had no other way to make a living but to "farmit," and

¹³J. S. Bassett (ed.), *Correspondence of Andrew Jackson* (Washington, 1926-1935), I, 320, n. Tennessee was raising 5,000 men for the campaign, 1,500 being in obedience to a call from the Secretary of War, while 3,500 had been called out by the state legislature. Of this number, one half were to come from West (now Middle) Tennessee, and one half from East Tennessee.

¹⁴Captain William McLin, also of Washington county, enrolled a company at the same time in Jonesboro. Tennessee State Archives.

¹⁵J. Hartsell Memora, 1.

¹⁶Hartsell MSS. Some time after the Creek campaign Jacob Brown, of Washington, Rhea county, Tennessee, wrote to Col. Jacob Hartsell: "You asked about John Ross, Sir. He is now living some distance from where he used to live in the nation [Cherokee]. the water corse is not by me recollected." Jacob Brown, a brother-in-law of Hartsell, was also on the Creek campaign with Ross and Hartsell.

spring crop time was at hand. So he returned them safely to their homes.

After his return to Washington county he must have enjoyed some degree of popularity, for he was always addressed as Colonel Hartsell, and in 1836 was urged to become a candidate for the office of brigadier general in the militia of his district.¹⁷ During the years following the War of 1812 he became a large land owner, and acted in positions of trust as guardian, etc., until his premature death.

The little journal termed by him "J HARTSELL MEMORA" is not merely the account of his military expedition; it contains also his family record, including the births of his children, and the dowry given each child at his or her marriage. The amount of each dowry was commensurate to the length of time spent in service for the parents.¹⁸

Another side of his nature is revealed by the "Memora." Without it we would not have known the poetic longings and aspirations of the man. Wars have always inspired the bard to sing his lay; and one of Hartsell's ballads preserved in the "Memora" is entitled "A Song Balet Concerning Ware." Two others are called, "A Song Balet Rote by me, Dec. 4, 1814,"¹⁹ and "The Second Book of Cronicals."²⁰ A fourth, unnamed, is about a brave volunteer. Crude as they may appear to the literary critic, they breathe the soul of one who cries:

Our Countries invaded, oheare the alarme
Turn out sons of tennessee and gird on your armes
We air sons of Columbia and straingers to fear
Sure heaven will smile on the brave Volenteere.

When wars and its thunders shall cease for to roar
Then we will returne and enjoy our stores
We'll train up our children their rights to revere
And when their invaded turn out Volenteere.²¹

A major purpose of the editor in presenting the journal of Captain Jacob Hartsell has been to give the reader a human story of the Creek

¹⁷William Boren to Hartsell, March 20, 1836, in *ibid.*

¹⁸J. Hartsell Memora. "This is a Memorandum of the property that I Jacob Hartsell give to . . . when they married . . . and their age, so that all of my children may know how things will stand at my departure of this life."

¹⁹This is a ballad of the "Barbara Allen" type.

²⁰This describes the battles of Tallushatchee and Talledega: "The Cronicals of Andrew, one of the Chief Captains of Columbia's Host—when he lead the thousands throw the South Counterey in search of the barbarians that dwelt in the deserts of Alibamia—Composed by Joseph the high priest and recorded by Jesey the Scribe on the 8th day of twelfth month in the eighteenth hundred and thirteenth year of the Christian Hegaria—Rote by me in a hurey on the 7th day of January 1814. Jacob Hartsell Capt."

²¹A poem also included in the J. Hartsell Memora.

War. This war was noted for its scarcity of food, the lack of concerted action among its leaders, and the insubordination in its ranks. Jacob Hartsell was untrained in military tactics; yet, possessed of a keen perception and an observing mind, he recorded a vivid picture of his "three months tour," and a glimpse of the indomitable spirit of General Andrew Jackson.

Hartsell's schooling was evidently limited, as shown by the *Memora*. His irregular use of capitals, his numerous misspelled words, his lapses in grammar, and his almost total abandon of punctuation marks, all were common to his day. Yet his words expressed his feelings, and one cannot fail to grasp their meaning.

An exact copy of his manuscript has been made, using his orthography and capitalization, but the editor has inserted punctuation marks where necessary to make the meaning clear. And the entries for October 12, 13, 15 and 21, which are to be found near the end of the manuscript journal, have been moved to their proper position at the beginning, although they were probably not recorded until after the date of the first entry on the first page of the journal, October 26.

Hence, after the lapse of a century and a quarter, these "*Memora*," probably kept by Hartsell only for himself and his family, now reveal to the world the reactions of an early American.

* * * *

J H

J HARTSELL MEMORA

Captain Jacob Hartsells Company of Est Tennessee Volenteers Inroled
October 12th 1813 in Jonesborough Washington County

October 12 day 1813—I and my surboltens [subalterns] never drew aney
extrey rations from the day we started up to this time

October 13 day 1813—the names of the men that never did apeare: levy
Bayles, John Stanton, William Anderson, James Law. those that is sick and
got clared as folowes: Joseph Lain, Sick; John English [and] Thomas Whit-
ecre got off by aplying to a fisition in Knoxville, to docter Strong.²² the[y]
was recipted by Magor Masinggill—²³

²²Dr. Joseph Churchill Strong, a native of Connecticut, came to Knoxville in 1804. He had served in the United States navy as assistant surgeon until 1801. It is likely that he was detailed as medical examiner for the troops. His old account books, 1806-15 (in the Lawson McGhee Library, Knoxville, Tennessee), list among his customers in 1813-14 the U. S. government, and also Col. John Williams' regiment.

²³James Massengale, quartermaster sergeant in Col. William Lillard's regiment. Tennessee State Archives.

October 15th day 1813—	£	S	D
to one and halfe quire of paper 2/3.....	0	2	3
do to one blanket	1	7	0
do to tow cases	0	9	0
do to one blank boock	0	6	0
do to ink powder	0	1	6
do to two quires of paper	0	4	6
do to three tin panes	0	10	6

October the 21st 1813—Randezvoused at big bent of nolechuckey²⁴

October 26 Camp Williams²⁵—Capt. Hartsells Company drew 80 rations of flower [flour] and beefe. on 27 did draw 80 rations of beefe and flower. on 28 day did draw 240 rations of beefe and flower for three days. I did not draw aney safe [save] for the five days—

October 26th day 1813 Camp Williams—Did not draw aney forege for horses—

do 27—did not draw aney corn or foder.

October 29 day Camp Williams—Did not draw aney rufness for our teeme; do, on the next day—Did not draw aney corn or foder—

October 31 day—which was Sunday, marched into West point²⁶ at Kingston; do,²⁷ on the same day at Kingston we drew two hundred and thirty one compleat rations for three days—

Foredge Return for Capt Jacob Hartsells Company of E T Volenteers. for my Baggage wagon in Service begining on the 31 and ending on the same—Camp Williams October 31 1813—no. of horses—4; no. of days—1; no. of Rations—4; total—4. Jacob Hartsell Capt., Quartermaster Isue for your horses agreeable to the above Riturne.

November 1 day 1813—Joseph Lain tooke sick and was left behind, four miles this side of Kingston.

November 2 day 1813—Thomas Whitecer was judged to not bee sufittant to stand a tower of dewty by Docter Strong. do, John Inghlish at the same time.

²⁴A few miles southwest of Hartsell's home on Cherokee Creek, in the extreme southwest tip of Washington county.

²⁵Probably the camp referred to by Col. John Williams in a letter to President Madison, dated December 3, 1812: "In camp, one mile from Knoxville." Williams was commander of the 39th Regiment of the United States army. S. C. Williams, "A Forgotten Campaign," *Tennessee Historical Magazine*, VIII, No. 4 (January, 1925), 269.

²⁶Southwest Point, located at the junction of the Clinch and the Tennessee rivers, where a garrison had been stationed since territorial days.

²⁷Kingston, nearby, was established in 1799 on the lands of Robert King. It was a recruiting point in 1812 for Capt. Uriah Allison. The Tennessee Society, United States Daughters of 1812, placed a bronze marker on the Roane county courthouse in 1933 honoring these soldiers of 1812.

November 3—arove at Camp Brown²⁸ four miles this side of the garri-son.²⁹ ther drew 240 compleat rations; whear we met with about 2200 troops from defrent parts.

November 4 day 1813—Marched to the Creek³⁰ nation and past the line about leven o'clock in the forenono, and marched in the nation about leven miles and lay on a small Creek at levele and hansome plase, whare all my troopes met me and in number was 1300 troops of foot and horse.

November 5 day 1813—Marched throw [through] about 6 miles throw [through] as levele ground as your eys ever beheld in my life, and verely rich Timber was verely good. then we crossed one Runing Creek. then come to some as good land as I ever saw; both and well timbered of both white oak, and black oak, and popeler. then we came to the River³¹ which was a large cane Brack botom of cane.

November 6th day 1813—Crosed tenessee River³² and marched to Camp Ross.³³ we was all day Crosing the River with two Botes and only seven wagons Crosed. the look out mountain³⁴ Is the Longes mountain and strates mountain and the biges fase of a mountain that ever I saw—

Whare we drew drew one days Rations of flower, and met, and whiskey—We have not drew aney foder and never since—

²⁸Camp Brown was probably named for Col. John Brown of Roane county, a commander of a regiment of volunteers in the Creek War. It was located on high ground, about half way between old Washington, Rhea county, and the Hiwassee Garrison on an old road which comes into the present road to the garrison site some three or four miles back from the river. This site was definitely located in May, 1938, by Mrs. P. J. Allen and the editor.

²⁹Hiwassee Garrison, located ten miles southeast of Dayton, at the junction of the Tennessee and Hiwassee rivers. Established by the U. S. government in 1807 as a frontier post against the Cherokee, the troops were stationed there until a short time before the War of 1812. The Cherokee Indian agency, with Col. Return J. Meigs as agent, was located there from 1807 to 1816, when it was moved to present county of Meigs. Penelope J. Allen (comp.), *Historic Chattanooga* (Chattanooga, 1935), 23.

³⁰Hartsell meant the Cherokee Nation. In 1812 the northern boundary of the Cherokee territory on the west bank of the Tennessee River was a line running due west from the mouth of the Hiwassee. East of the river, however, their land extended to the mouth of the Clinch. During the Creek War the Cherokees were allies of the Americans. J. P. Brown, *Old Frontiers* (Kingsport, Tennessee, 1938), 460-465, Appendix B.

³¹Tennessee River.

³²At John Brown's Ferry. He was a Cherokee who operated two ferries, one above and one below the "Suck." Brown was a slave trader and a blacksmith. His claims presented to the United States government show that he ferried many troops across the river: "Dec. 2, 1813—To ferriage 260 men Col. Brown's Regiment across Tenn. River @ 12½ cents apiece—\$32.50. . . ." "Jan. 29, 1814—To ferriage 500 men Col. John Brown's Regiment across Tenn. river—\$31.25. To ferry wagons across—\$6.00." Return J. Meigs MSS. (in possession of Mrs. Penelope J. Allen, Chattanooga, Tenn.).

³³Camp Ross, established by Gen. James White in October, 1813, was located at the foot of Lookout Mountain near the mouth of Chattanooga Creek, and called Camp Ross from its proximity to the trading post of Daniel Ross, a Scotchman, and the father of John Ross, the Cherokee chief. Allen, *op. cit.*, 25. For brief sketches of John Ross, see Brown, *Old Frontiers*, 473 *et passim.*; F. W. Hodge, *Handbook of American Indians* (*Bulletin* No. 30, Bureau of American Ethnology, Washington, D. C., 1905-10), II, 396.

³⁴Lookout Mountain extends from Chattanooga, Tennessee, to Gadsden, Alabama. It is about eighty-five to ninety miles long.

November, 7 on Sunday—all the troopes Crossed the River, five of General Whites³⁵ min came from turkey towns³⁶ with ten pack horses and made a report That General Jackson had made aney atack³⁷ with the hostile Creeks and kiled about 130 Indians or upwards. Several whites was Caried away in blankets of the white. the hole army whare we lay Shot and Drunck tell midnight for joy, which made much Noise. I think that ther was two thousand gunes fired on the ground.

Received of Capt Jacob Hartsell, one six and halfe pint³⁸ blanket. November 8 day 1813—Samuel Bayles.

Received of Capt Jacob Hartsell, on six and halfe pint blanket. November 8 day 1813—John R Clingian.

Received of Capt Jacob Hartsell, one six and halfe pint blanket. November 8th day 1813—Joshua Gaines.

Received of Capt Jacob Hartsell, one six and halfe pint blanket. November 8th day 1813—Josh Isaac thrasher.

Received of Capt Jacob Hartsell, one six and halfe point blanket. November 8th day 1813—Stephin Pitcock.

Received of Capt Jacob Hartsell, two six and halfe point blanket. November 8th day 1813—Joshua Colens and Jonathan Colans.

Received of Capt Jacob Hartsell, sixteen yards of too [tow] lining for one tent clouth—John Ingram, Jesse Hampton.

We was three days crosing the river; one day the horse men, two days the foot men and wagons. the river was about one quarter of a mile over. then ther came large crick into the river, which we had to run up with the botes be fore we cold [could] land. the loock out mountain came down to the creeck that we cold not git out. the name of the camp was Camp Rooss whare we lay at; the name of the creeck we run up with the botes w caled Chatehuty Creeck.³⁹

9 day instant—We left Camp Ross and marched about twelve miles and lay on the same creeck whare was nobele timber and good land, a verrey large creeck and prime cleare runing water fit for aney kind of a mill—

³⁵Brig. Gen. James White (1747-1821) served as captain and colonel in North Carolina during the Revolutionary War. He built White's Fort in 1786 at the site of Knoxville. During the War of 1812 he commanded a brigade of militia, which while en route to join Jackson at Fort Strother on the Coosa River, had been detached from Camp Ross to Turkeytown to the relief of the Chief Pathkiller, who feared an attack from the Creek Indians. Tennessee State Archives; Bassett, *op. cit.*, I, 342, 348.

³⁶Turkeytown, a Cherokee town founded about 1770, and located in the bend of the Coosa River in Cherokee county, Alabama, was noted as the home of "The Turkey," a famous chief who led many early attacks against the whites of Tennessee and Kentucky. During the Creek War it was the home of the head chief of the Cherokees, Pathkiller. T. M. Owen, *History of Alabama* (Chicago, 1921), II, 1332.

³⁷Probably the Battle of Tallushatchee. See note 46, below. It is likely that White's men brought the first news of this victory to General Cocke's army, as recorded by Hartsell.

³⁸A corruption of the trade term, "point," no longer used, denoting weight.

³⁹Chattanooga Creek joins the Tennessee River at the base of Lookout Mountain. Camp Ross was on the high ground between the creek and the river.

10 Instant—We marched about 15 miles throw some as good ground as my eys ever saw. large levele plantations might be had with not one hill in them, white oak and black oak and shugartree, poplar, wild chereytrees plenty, som good springs as ever run out of the erth— I think that on one spot of straight rode I was on advance gard this day and halted my company and loocked back, saw at leas one thousand men well armed which apeared at least three quarters of a mile long—

thursday 11—Marched about twenty miles. passed throw two Indians towns.⁴⁰ I was as much amased. I saw what I never saw be fore. ther was all kinds of squaws with their children on their backs, one litele garle with one amost as large as hur self on hur back asleap. I lafed as harty as I ever I did in my life at the sight. ther was as good runing water as I ever saw in my life. passed as good land and some as good springs as I ever saw in my life. some as levele land and large timber as I ever saw in my life, some shugar trees. we had to draw beefe the same night with much confution as my selfe attended to the plase tell we recived our rations—

on the same knight I dremp I met my mother and went in to my house with hur whare I saw my wife making of corn bread and saw the tabele set with plates, copes [cups], knives, and other articales. then I taught [thought] I was walking with my brother along some rode, then I a woake and was in my tent in the wild woodes. soon after the drume beet the revelee—

On the 12 Instant—We marched to a small creeck, then we came to along leading creeck, then to some hiley ground and poore. we incamped about twelve miles on the same rode.

On Saturday 13 Instant—We marched to a small river caled Coocy.⁴¹ then we came to a small creeck and some good land. passed several good houses whare was some half breed lived, and they had some likely farmes. then we came to Camp Coocey,⁴² whare we met with thirteen hundred troopes at this plase from diferent countreys. we incamped in a holow square. be fore we was thare ther was sentinales plased round the Incampment. I was verely unwell this day tell [until] I came to this plase, and I got beter and Magor Bradley⁴³ and my selfe and one of my boys went to the rivere and crosed in a small Cuneo [canoe], where we went throo a large cane brack

⁴⁰Probably Cherokee villages.

⁴¹The headwaters of the Coosa River cross Cherokee, Etowah, and Elmore counties, Alabama. The name "Coosa" is derived from the Choctaw word "Coosha," meaning "reedy," on account of the dense cane brakes along its banks. An Indian tribe by the same name was there when De Soto discovered the river.

⁴²The site of Fort Armstrong. The camp on the Coosa was built in October, 1813, by Gen. John Cocke, and used as a base for supplies, both of men and provisions. Located on the north bank of the river in Cherokee county, Alabama, just west of the Georgia line, it was the logical place for a fort, for the Coosa was then considered the boundary line between the Cherokee and the Creek nations. The fort was named for John Armstrong, then secretary of war. B. J. Lossing, *Pictorial Field Book of War of 1812* (New York, 1869), 766.

⁴³Major William Bradley, first major in the Second Regiment under Col. William Lillard. He was ordered on the second campaign in January, 1814, under Col. John Brown. Tennessee State Archives.

three quarters of a mile, and the land was verely good and the timber was verely good of all kinds. I cold not git one yeare of corne and I fetched a verely large load of cane for the horses, and came throw the incampment and some horses lay thare, and as I pased throw the horses nickered for my cane tell my hart aked for them—the rivere runes verely still and verely deep and has high banks, and on this side, which is the south side, there is the apearance of a large intranchment⁴⁴ & apaires to bee done seven or eight yeares agow. ther is a large spring runing out of the banck of the quick sand. It will bee a famous river for boting, for it is allways deepe anuff for botes to run. ther is only one ford to cross in all nowing, that is whare General Jackson lays at the ten Islands,⁴⁵ which is thirty miles be low whare we now lay.

The best account we have had from General Jackson is that the first batele⁴⁶ he kiled one hundred and eighty on the ground, and twock [took] thirty prisoners. some of them dyed and some of them is alive yet. the first batele lost five on the ground, and tow [two] dyed after wards that was wounded. the last batele⁴⁷ that Jackson had he kiled two hundred and sixty wayers [warriors], and whome was all wayers fifty wayers charged throw the lines and made ther ascapas. the most of ther armes was taking from them, fifty rifles gunes the white twock from them. the Indians kiled sixty horses of the whites—

November 13th day—I bought corn for my horses—0-3-0

On Sunday 14teenth—William Rogers⁴⁸ preached to 12 oclock at the block house, whare there was a large asembly atended with much satesfaction, for the hole of them seemed to be engaged with solom inserety. the most of the men was melted into teeres under the sermont. after the preachen the[y] was dismissed without singen or prayer. the[y] started to ther defrent tents, which seemed to bee fifteen hundred men, all of one choler nearer than I ever saw in my life before, no women nor children, all men. after I

⁴⁴Was this the scene of an earlier Indian battle?

⁴⁵The Ten Islands were seventy miles below Fort Armstrong. Lossing, *op. cit.*, 766. "Fort Strother was on the west bank of the Coosa . . . at the lowest point of the Ten Islands Shoals. Greensport, Ala., the present Lock Three on the Coosa, the railroad station named Lock . . . and the old fort site are coincident. . . . Rousseau's raid into Alabama in 1863 says that he crossed the Ten Islands Shoals at Fort Strother exactly where Andrew Jackson crossed in 1813." Peter A. Brannon Alabama Department of Archives and History, Montgomery, Alabama, March 25, 1938, to the editor.

⁴⁶Tallushatchee, fought on the early morning of November 3, 1813, with General Coffee's cavalry leading the attack, resulted in 186 Indians killed and eighty taken prisoners. Col. Richard Brown, a Cherokee chief, two of Chinaby's men, and Jim Fife, of the Natchez tribe, distinguished themselves on the American side. Here it was that the young Indian lad, Lincoyer, was rescued by General Jackson. Jackson wrote Gov. Willie Blount, "We have retaliated for the destruction of Ft. Mimms." Bassett, *op. cit.*, I, 341, 345; Lossing, *op. cit.*, 762-763.

⁴⁷Talledega. Lashley's Fort at this town, thirty miles below Ten Islands on the east side of the Coosa, housed some friendly Creeks. Hearing of an attack from hostile Creeks expected there, Jackson set out from Fort Strother with most of his troops, relying on General White and the East Tennessee troops to arrive soon. In the attack on November 9, 299 Indians were killed, and of the Americans only fifteen were killed, and eighty-seven wounded. Jackson then hastened back to Ten Islands. Bassett, *op. cit.*, I, 349, 355.

⁴⁸Chaplain in Gen. John Cocke's regiment. Tennessee State Archives.

went home I took a walk round the lines and counted the fiers which seprised me much. ther was two hundred and fifty diferent fiers, twelve men to each fier and some thirteen and fourteen to each fiere. the hole loines is one mile lone [long] which is camped in a hollow square, the block house in the midst of the incampment, the horses and all the head ofesers [officers] and ther waters [waiters] in the midst of the lines—about 9 o'clock at knight ther was one of the Sentinales fired. orders was given to parade Instantly. I was seting by my fier side talking with some of my boyes. I holowed parade, parade in aminit, which was don. in a few minutes I marched up the lines to see how the men was standing and when I had them in order I returned to the head of my line. had not been ther long be fore I thought I heared some one walking tordes [towards] me and snaped ther gun tordes me behind the fiers. I haled them, and haled them twise and was redy to fire my piece, and the man ansered twise and said it was mee fixing my gunloock, which scared me much for I shold shot in aminit if he head not aspoock and shold kiled him without axsedent [accident]. when I took sedond [second] thought I was much scared. if I had kiled him, he or the[y] cold not ablamed me for it, because the hole of the men was ordered out in the inside of the incampment and he was out side of the incampment which was liabile to be shot without hailing aney— As quick as I was formed the Agjedent came to me and demanded six men out of my Company to goo and see what was don. I told six of the men to turn out amedentley [immediately]. John Walker, George Starmer, James Casedy, Lenard Calver, Moses Conkling stepped out without delay, and marched to the Sentinal whare the firing was, and did not find the Sentinal, went to the mex [mess] and found him much scared. twoock his gun from him and ordered John Walker and James Casedy to garde him to the General, and the General on axamination clared him and sent him to his post. when all was don the oficer halowed "a fawlse alarme, Dismis your men." I dismisses my men and we went to bed as ushale [usual]—

On 15 Instant—the Cherokees brought in Six prisoners to this plase from the Seeder townes.⁴⁹ the[y] war Creeks⁵⁰ and when the[y] Came I went to See them, and they wair Stout high men and Straight bilt men, but they war verey black to the Cherokees.⁵¹

⁴⁹The Cedar Creek Indian village town was in Talledega county, Alabama, located on the north bank of the creek above where it empties into the Coosa. On March 21, 1814, Fort Williams was built on the same side of the creek, between the town and the river. Owen, *op. cit.*, I, 212.

⁵⁰The Creek Indians, so-called from numerous streams of water in their country, occupied the greater part of Alabama along the Coosa and Tallapoosa rivers, and on the Flint and Chattahoochee rivers. The most serious war of the Creeks against the the Americans was that of 1813-14, and it ended with the complete submission of William Weatherford, the Creek chief, and the cession of part of the Creek lands to the United States. The Creeks were removed to Indian Territory west of the Mississippi in 1836. Hodge, *op. cit.*, I, 362.

⁵¹"The Cherokees are of middle stature, of an olive colour, tho generally painted and their skins stained with gunpowder, pricked into very pretty figures." S. C. Williams (ed.), *Memoirs of Lieut. Henry Timberlake* (Johnson City, 1927), 75. The Creek man is larger than the ordinary race of Europeans, often above six feet in height, but well formed, erect in carriage, and graceful in every movement. Hodge, *op. cit.*, I, 362.

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The names of our oficers at this plase as folowes: General John Cock,⁵² Colonel Wm Lillard,⁵³ Magor Bradley,⁵⁴ Agedent Wm Nolen,⁵⁵ Captaines. we have 16teen, ther names I now not. 4 horse Captaines, which makes twenty⁵⁶ in our Ridgement—

MORNING REPORT OF CAPTAIN JACOB HARTSELL COM TY INSTANT—

STATION NOVEMBER 15, 1813	Corporis	Capt.	1 Lieutenant	2 Lieuts.	Ensigns	Sergeants	Musitions	Privats	TOTAL
Present for Dewty.....	1	1	1	1	4	3	..	64	75
Sick Present		1	..	..	..	..	..	..	1
on Detachment	..	..	..	3	..	..	..	..	3
on Command	..	..	..	..	..	1	..	..	1
on Daly Duty.....	..	..	..	..	..	4	..	..	4
Waters [Waiters]	..	..	..	..	..	..	..	..	..
Absent without consent.....	..	..	..	..	..	..	..	..	..
Deserters	..	..	..	..	..	..	..	..	..
in confinement	..	..	..	..	..	..	..	..	..
Aggregate	1	2	1	4	4	8	..	64	75

On Tuesday 16—it Rained and Sleated some—

⁵²Gen. John Cocke (1772-1854), the son of William and Mary McLin Cocke, came from Virginia at an early age to Mulberry Grove, Hawkins county, Tennessee. William Cocke was active in early Indian warfare along the Watauga. He served in the War of 1812 when over sixty-five years of age, and was personally thanked by Jackson for bravery of Enotochopo. John Cocke served in the state legislature and in 1813 was appointed major general for East Tennessee volunteers in the War of 1812. Jackson and John Cocke had misunderstandings which led to Cocke's arrest in January, 1814, at Camp Ross, but at a court martial Cocke was acquitted. He later went to Congress. His home was at Rutledge, Grainger county, Tennessee. "The Cocke Family," *American Historical Magazine* (Nashville, April, 1897), II, 152 *et seq.*

⁵³Col. William Lillard (1744-1830), the son of James and Keziah Bradley Lillard, was born in Virginia, where he served in the Revolutionary War. He moved to Jefferson county, Tennessee, in 1797, and served in the legislature. He was made colonel of Second Regiment of John Cocke's division of East Tennessee volunteers in 1813. He moved to Missouri after the war but returned to Tennessee and entered land in the Hiwassee district in 1825. J. E. S. Lillard (comp.), *Lillard Family* (Richmond, 1928), 47.

⁵⁴William Bradley; see note 43.

⁵⁵Should be Adjutant Thomas Nolen.

⁵⁶The roll of officers of the second regiment of East Tennessee Volunteers, commanded by Col. William Lillard was as follows: William Lillard, colonel; William Snodgrass, lieutenant colonel; William Bradley, 1st major; Isaac Allen, 2nd major; Thomas Vandyke, surgeon; Thomas Nolen, adjutant; William Rutledge, quartermaster; Arthur G. Armstrong, R. commissary; George Turnley, sergeant major; James Masengale, quartermaster sergeant; James Burrow, drum major; George Argenbright, captain; Thomas Sharp, captain; Zacheus Copeland, captain; Jacob Dyke, captain; William Gillenwaters, captain; William Hamilton, captain; Jacob Hartsell, captain; George Keyes, captain; Benj. H. King, captain; James Lillard, captain; Robert Maloney, captain; Hugh Marton, captain; Robert McAlpin, captain; Thomas McCuiston, captain; William McLin, captain; John Neatherton, captain; John Roper, captain; Abraham Gregg, ensign. Tennessee State Archives.

A Provition Returnes for Captain Jacob Hartsells Company of E T Voleneteers beginning on the 16 November and ending on the same—Camp Armstrong⁵⁷—No. of men—75; No. of days—1; No. of Rations—75; Total—75. Jacob Hartsell Captain—Quarter Master Isue, seventy five compleat rations agreeable to the above returne—Wm Lillard, Colonel.

On Wensday 17 Instant—It Snowed all day amos [almost]. ther was nothing Strange in the Camps.

November 17 day 1813—It was a verey driseley knight and verey warm. I and all the boyes was well on this morning. we peraded at Day light and maid our morning Report agreeable to the Strength and Condition of our Company & &

MORNING REPORT OF CAPT. JACOB HARTSELLS COMP TY INSTANT

STATION ARMSTRONG NOVEMBER 17TH, 1813	1 Capt-	1 Lieut	2 Lieut	Ensigns	Sergeants	Corporals	Musitions	Privats	Total
Privates for dewty.....	..	..	..	..	..	..	..	48	75
Sick present	1	..	..	..	..	2	..	..	..
on Detachment	..	..	..	1	1	..	..	14	..
on Daly command.....	..	..	..	..	..	..	..	3	..
on Daley dewty.....	..	..	..	..	..	..	..	1	..
Waters	..	..	..	..	..	..	..	..	..
absent without leave.....	..	..	..	..	..	..	..	..	..
Deserted	..	..	..	..	..	..	..	..	..
In confinement	..	..	..	..	..	..	..	..	..
Aggregate	1	1	1	1	4	3	0	64	75

DO on the same day—John Slaygal⁵⁸ Deserted about 9 oclock in the morning—

On Thursday 18th Instant—it Snowed verey hard about Day Brack. We hared from General Jackson by Magor Rogers⁵⁹ and Magor Minns.⁶⁰ the[y] fetched aney Strate account⁶¹ that ther was three hundred Creeck Wayers kiled on the ground be sides some wounded and toock prisoner; and if it had not abin for a deputy quarter Master, the[y] might kiled the hole of them on the ground. the[y] Had serounded them Compleatley and the quarter master Came to one side and said the General Commanded him to tell them to Retreat fifteen pases, Which the[y] did and when the[y] retreated &

⁵⁷This is the first reference to the camp under the name Armstrong.

⁵⁸A private in Captain Hartsell's company.

⁵⁹David Rogers served as 2nd major in Col. Samuel Bunch's regiment of mounted riflemen, East Tennessee volunteers, October 16, 1813, to January 14, 1814. Tennessee State Archives.

⁶⁰Major Minns is not listed in Tennessee State Archives.

⁶¹This account of the Battle of Talledega tells of the retreat of Col. Edward Bradley, who later went forward, but too late to prevent the escape of many Indians. The true loss of Americans was 15 killed and 87 wounded, of which 2 died later. Bassett, *op. cit.*, I, 349; A. J. Pickett, *History of Alabama* (Montgomery, 1851), 296.

went to the General and told him that one side of his loines was Retreating, and the General ordered one Ridgement to march in the Rare of the loines that was Retreating and the Indians had one broadside to Retreat in, the[y] charged throw and kiled twenty five white men, and wounded eighty, two of them dyed since and the rest is living at this time—

On Thursday 18—at knight one of the Indian prisoners got loos from the gard fiere and made his ascape. one of the Sentinales shot at him as he started, and the Indian fell to the ground and holowed, "Booh," and recovered and run like . . . and that is the Last of him—

A trew Returne of the Strenght and Condition of a Company at this plase, now Incamped. Station Armstrong, Camp Coocy⁶²—November 18, 1813—Jacob Hartsell Capt.

1 Captains 2 Lieutenants 1 Ensigns 4 Sergeants 3 Corporals 63 Privats 73 Rifles 73 Powder Horns 73 Shot Pouches 37 lbs of Powder 1000 Loose Ball 20 Flints 75 Knapsacks 73 Blankets 70 tomehocks 73 Knives 7 Tents 6 Kiteles 9 Skillits 1 buckets 2 axes 1 wagons 1880 Total—

Friday 19 Instant—before Day ther was alarme gun fired and was a faulse alarme. and about one hower be fore day ther was another fired and the men was formed when the newse Came that one of the prisoners had escaped from the gard fier. amedeately at the brack of day Seven of my boys went to the General, and got a purmit to gow after him—

On Friday 19 Instant—I hapened to be at the Generals ten[t], and the Chiefe indian of the Cherokees⁶³ Came to the Generals tent to know what to dow with the Indains that he and his men had toock prisoner. he stated that he had bin at General Whites Ridgement, whare the prisoners was taking and General White told him to Come to General Cock and Command his prisoners to kill, or to doo with as he pleases. and General Cock told him to doo with them as he though[t] proper. two of them they kiled amedeateley, and the other three they twock home with them as frendeley Indians. those two that the[y] kiled, they shot and Tomahocked in a crewal maner. one of them the[y] twock one scalpe of him, the other they twock three calpes of him be cause the[y] said he kiled three white men in his time—

On the same day—we had now met to draw throw out the Ridgement and the General give every Capt. Leave to Sende ten men out of ther Companyes to kill aney thing that they cold find and bring it to the block house, and every man to have a equal Share of the meat that they cold kill.⁶⁴ on

⁶²Hartsell calls the camp Camp Coosa, Station Armstrong. and Camp Armstrong.

⁶³Although Pathkiller was the head chief of the Cherokees at this time, this reference is to Col. Richard Brown, another friendly Cherokee chief, who had led a band of Cherokees at Tallushatchee. Pickett, *op. cit.*, I, 295; Bassett, *op. cit.*, I, 336, 341.

⁶⁴With reference to this scarcity of food supplies, see a letter from John Cocke at Fort Armstrong to Jackson, November 27, 1813: "I am as yet unprovided with provisions. Cattle are scarce among the Cherokees. I despair of getting a considerable number of them. I have men however out in all directions in search of beef. They will return in 8 or 9 days. I shall then march for Ft. Strother." Bassett, *op. cit.*, I, 361.

this day Much Confution was amongst the men Concerning the Campaigneys. Some of the oficers Swore that they wold march no further. Some of the prvates Swore that they wold march home if it got aney worse— In the Evning I went to the block house and counted Eighteen head of hoges that was kiled and brought to the house and maney more Came after wardes. ther was beefe anuff for the hole of the men to draw for two days. be sides the pork ther was severale Beeves kiled on the same day and brough[t] on the ground. Some turkeys.

On Saturday 20—It was a verey prety Day and verey warme. on the same knight the newse⁶⁵ of our horse men came to the General that they had twock three hundred prisoners, and had kiled fifty Indians on the ground. the hole of the Horse men that was left on the ground was Sent with flower to met them— at Darck Enock Kinshelow and Marck been met John Slaygal back to my in Campment and I told the boyes to git him something to Eat, and then I ment to hold a cort Martial over him and went to the Lieutenants Camps and the[y] was not thare. I had the opertunity to Councile him and told him the Disoner of Deserting on the turmes [terms] that you did and he Seemed not to mind it nomor then if he had not transgressed. Whilest I was taulking with him, Magor Minet⁶⁶ Came and Demanded the Deserter that Enock Kinshelow Brought back. I ordered Sergeant Rubele⁶⁷ and a file of men to garde him to the Generals tent and they Did Say he Seemed remorse & asked them if he was not guilty.

Saturday 20—Slagle was brought to the Campes and on Sunday ther was a cort martial held over him. on axamination the[y] asked him guilty or not guilty. he said guilty. on Mundy morning I went to General Cock and asked him what was to bee dun with John Slagle. he conversed with me on the subject verey kind and I told the General that I was verey sorow for the boy for he was very young and Did not steady what he had don, and I wished the punishment to bee as Light as posoble. the General got the law and Read It to my satisfaction. the Crime that he had don Came under the Dreadfull Sound of Death. he head [had] twock ahire of another man to stand Sentinal and when he was Caled for he did not answer to his name. to Desert of a post is Deth. to goo asleap on a post it is Death. to Diny a manes name it is Deth. he head Doone two of the Crimes and on unavailing within the Cort martial. the[y] maid the thing shor[t] and easey as posoble. the cort martial then was seting. the General told me to stay with him a few Minits and he wold Read me the Sentiment. the Sentiment was that Sd Slagle was to be kep under gard tell nine oclock, then all the men of three Ridge-

⁶⁵The Hillabees Massacre on November 18, 1813, led by Gen. James White, resulted in 64 Indians killed and 256 prisoners taken, the latter being sent to Hiwassee Garrison. One principal warrior, Billy Scott, had been wounded at Talledega. Bassett, *op. cit.*, I, 361. After the battle of Talledega, the Hillabees, who lived on the Tallapoosa, sent an old Scotchman, Robert Grayson, to Jackson to sue for peace, to which Jackson agreed. General Cocke, knowing nothing of this, ordered General White to attack these towns. The Indians considered themselves betrayed, and fought the whites with desperation to the end of the Creek War. *Ibid.*, I, 354; Lossing, *op. cit.*, 766.

⁶⁶William C. Mynatt, aide de campe to Gen. John Cocke, served from September 25, 1813, to January 16, 1814. Tennessee State Archives.

⁶⁷John G. Rubele, of Washington county, 2nd sergeant in Hartsell's company.

ments was to bee Drawes In tow [two] Lines fifty pases Distents apart, and a gard of men Chosen to gard Sd Slagle to the midele of the two lines, and one halfe of Sd Slagle fase and one halfe of his head Shaved, and then two men to march be fore him with ther Baynets on ther muskets and them under ther armes; two at the flanck tow at the Rare of Sd Slagle and all the drumes and fifes in three Ridgements to bee be hind said gard, and the Roses march to bee beet after him to the left of the Ridgement to which he belongst, then wheled to the left and marched throw the hole of the men and then throw the Sentinals and pases to the Right about and Dismised. or offiser or privat to sufer him in Camp or to be caut taulking with him or the[y] shald bee punished for the Crime—

Mond 21 day Instant—I hared of Capt Mackling⁶⁸ Laying in Six miles of us. after Slaygal was Discharged I went to the General and asked him if I might take Six or Eight of my men and Meet Capt McLing and the Carter [county] troops,⁶⁹ and he granted me the Request. Capt McLings brother,⁷⁰ Capt Dick,⁷¹ and Eight of my boyes went armed in the best maner to meet them. when we Came in forty pases Capt Dick and myself marched in frunt of the lines. we opened the lines halfe of the men on each Side of the Rode and Seluted them, when the[y] head [had] pased throw the lines Commanded Shoulder armes and went fored to See the men. the[y] came runing to mee on Everey Side and Shuck hands In the hith [height] of the Joy. Magor doring [Doran]⁷² Came up and a glader man I never Saw. he puled his botele and Dranke to me with much Joy, and made me aquanted with a Capt out of his county.⁷³ Everey Man Seemed to Leap Round me with Joy and we Sent in for the best musick ther was in the Incampment. the musick Came. we formed the Company, my men in the Rare of Capt McLings men, mee and Capt Dick and Capt Mc Loney [Maloney]⁷⁴ marched in frunt of the Company In to the Incampment, and they was Recived and his Incampment was Layed off, which was a disagreeeable one. I made apli-cation to the General to let Capt Mc ling Incamp with my Company and the green [county] Companey⁷⁵ this knight. he granted it. on the next day the[y] Camped on the frunt of the lines. on the Same day the morning Some of the Cherokees Caut one of the Creecks askouting round the In Camp-

⁶⁸Captain William McLin led a company in Colonel Lillard's regiment. He was the son of Alexander McLin, an early settler in Washington county, living west of Leesburg. William McLin later moved to Blount county. War of 1812 Records (in possession of the editor).

⁶⁹Captain Jesse Cole's company in Col. Samuel Wear's regiment was from Carter county, Tennessee. War of 1812 Records.

⁷⁰James McLin was a sergeant in Captain George Keyes' company, Lillard's regiment. Tennessee State Archives. He graduated from Washington College in 1818, and later taught there. He also preached in East Tennessee. War of 1812 Records.

⁷¹Capt. Jacob Dyke led a company in Lillard's regiment, which mustered out at Greenville on February 8, 1814. Tennessee State Archives.

⁷²Probably Alexander Doran, of Carter county, served as 2nd lieutenant in Capt. Jesse Cole's company of Colonel Wear's regiment in Creek War. War of 1812 Records.

⁷³Probably Capt. Jesse Cole.

⁷⁴Capt. Robert Maloney, of Greene county, led a company in Lillard's regiment. Tennessee State Archives.

⁷⁵Captain Dyke's and Captain Maloney's companies.

ment. the[y] twock him and tyed him to the General, and on axamination the[y] found him guilty. the General give him to Cherokees to punish In ther one way. the[y] twock him to the Indian fire. I was present at the Same time one of the Cherokee Indians twock his nife out and caut his hare that was Clubed up and Cut it off Close to his head. amedetely they twock him tordes the gard. he wold not walk aney further. one of the Indians Struck his tomahock In to his head, no Sooner then was five or six more in his head. he fell to the ground. one of the Indians Steped up and Scalped him and twock the scalp in his hand and jumped about and holed, "aleway, aleway," and Seemed much Regoiced much. one of the others Striped him; another put a rope round his neck and drawed him Round the neck to the other two. Several of them Stuck ther knives. he drawed him selfe up. the[y] holowed wors. then I returned be fore the[y] twock him away. the[y] twock him In to the tents whar the Shee Coocys and Children was and all the women and cryed and made Everey kind of noise.⁷⁶ I stowed amaised and lowocked [looked] for one houre. abram fine⁷⁷ was with me. he said he wold not miss his trip for five hundred Dollars. they ware Coocking and baking all sorts of nastiness with Viteles. I thought It wold kill me to Eat the Viteles that the[y] Cooched. whilst I was Standing thare the[y] holowed over the River that ther was more prisoners⁷⁸ on the other Side of the River. the Cunuw [canoe] was bisey from that time tell knight fetching the prisoners and the horse men over. ther was 27 men which was wayers [warriors]. the deferent Captains marched in frunt of the prisoners and Some of the men In the Rare of the prisoners and marched them to the Generals life gard holow square. on ad-samination the[y] found out ther was one of the head Indians⁷⁹ which was in the batele that Jackson head [had]. Some of them was wounded Slightly. the General told the Commander to take the prisoners In to the gard house and keepe them tell further orders. this was on Tueseday about twelve o'clock. It head bin verey wet the day be fore and all the knigh and this morning the Camping ground was verey wet and of all the Smells that ther was about the Slaughter pen and blockhouse I ever Smelt it was thare and Round the Incampment of menure. it was enuff to make aney purson Sick. the Coocy wiming and children the Cherokees twock home with them—

On Wensday 24 day—Capt Mc Loney was arested for giting Drunk and Disorderley Conduct. I was caled on to atend Cort Martial on that acount, and Several of the offisers to try the Case at twelve oclock in the fournoon. We drew a purtition [petition] In the be halfe of Capt Mc Loney be halfe and got Several Signers of the field officers and Some of the Captains to Sign the paper, and Myselfe and Capt McLing and Capt Mc Loney went to the Generals tent with the paper and the General whene he Came Torede the paper that the names was Signed to, the General Tolde his adicamp to with Draw the Charge that Capt Mc Loney was arested for on the Spot, and give

⁷⁶"The prisoners of War [of the Cherokees] are generally tortured by the women, at the party's return, to revenge the death of those who have perished by the wretch's countrymen." S. C. Williams, *Memoirs of Timberlake*, 82, n.

⁷⁷Abraham Fine, a private in Hartsell's company.

⁷⁸Taken at the Hillabee towns on November 18.

⁷⁹Billy Scott. See note 65.

him orders to Returne to his former Company and Command It with Care. the General Said he was Sorow to See aney man brought before a cortmartial for his Disdemenier. the Captain excused him selfe in the bist Turmes he cold and thanked the General for his favour. he went to his Company and mustered the men all the afternoon as I was told— In about one houre I was Caled on to meet at the block house to try another Capt in Colonal Browns⁸⁰ Ridgement, for being Intoxekated the Evening be fore and abeusing his Company. he kicked Several kiteles off the fire, and Spilt the Vituales that was in the Same, and Drew his Sord and Swore that he wold bee Commander in Chiefe, and if aney bodey said to the contrarey he wold Smite him to the ground. 2 Secondley, he was Charged with not mustering of his men More than twelve times in Six months; thurdeley, for not tending to their Rations as be come a officer in the Service. the Cortmartial was conveyed [convened] and swaring [sworn in]. the trial was poot off tell next morning at ten oclock. the men meet on the trial. Capt Underwood⁸¹ sent his Resignation to the Colonal of the Ridgement that he belonged to. The Colonal of the Cortmartial, which was presedent of the Cortmartial, he Excipted [accepted] his Resignation, and the Cortmartial Santioned It, and ther was a a Record Entered of it and the Cort was Dismised tell one oclock in the after noon to See what the General wold dow about it. the General Did Recive the Resignation, and his Ridgement was peraded and the Same was Read to his Ridgement on the Same day. sd Capt belonged to Colonal Browns Ridgement. Sd Capt Commanded a mounted Rifle Company of horse men. he was Brock on thursday 25 Instant—

November 26 1813—Station Camp Armstrong—Morning Report of Capt. Hartsells Company—

Present for Dewty—Capt—1, Lieut—1, 2nd Lieut—1, Ensign—1, Sergeants—4, Corporals—4, Privats—46, Total—68.

Sick Present—0, Sick Absent—0, On Command to Rosses⁸²—3, Privats On gard—7, Privats On Fortieque—4, Privats Absent without leave—0, Deserters—0, In Confinement—0.

Aggregate—72

November 27th day 1813—Magor parker⁸³ and Joseph Mc Clarey out of Capt David G Vances⁸⁴ Mounted Company Stayed withe mee on the Reason of Joseph McClares loosing of his horse. John Miller left my Company by hiring a subestute in his plase. On the twenty eight Instant I was appointed

⁸⁰Col. John Brown (1779-1845), of Roane county, commanded a regiment which enlisted on September 30, 1813, until January 1, 1814; and a second one from January 1, 1814, until May 20, 1814, which was attached to Gen. George Doherty's brigade. Family tradition says that he equipped his regiment with his own means. One of his descendants is Mrs. John Trotwood Moore, Nashville, Tenn. War of 1812 Records.

⁸¹Capt. John Underwood served from September 30, 1813, until November 25, 1813, when "he was broke." Capt. James Standifer took his company. Tennessee State Archives.

⁸²Camp Ross, from where the provisions were being hauled overland.

⁸³Major. Parker's name is not on the Tennessee State Roll in the Archives.

⁸⁴Capt. David G. Vance led a company of mounted infantry under Col. Samuel Bunch, October 16, 1813, to January 22, 1814. Tennessee State Archives.

officer of the Day and about twelve oclock I went Round the Sentinals. the Rest of my Company was Drawing ther Rations by Reason by fore of the men that was Caled for to goo with the wagons to Roses. it made Some odd men at the messes which made the grates Despute I ever was in the Company. the most of them had not bin long from preaching which surprised mee Much. I came to me tent whare the men was Desputing much. I lisened to ther Deferent tailes Some time. I hapened to bee in a good humour and observed to the men that the[y] grumbled at the Big men So much I said that we had no reason to Say aney thing about them for we ware only a handful of us Cherokees and we defered So much. I told them To Devide the provition and give to me what was left and I wold Starve one Day Rather than have aney more fuse [fuss] about It. on I told them that I wold tell to them that we had bought Some when we was Scarce. that shet ther mouthes Close and the[y] goot verey Cam. I observed that all ways when I was absence, ther was a fuss with them to Devide ther mele [meal] or meet.

November 29—Ther was a desput arose at The Block House betwene Lieutennant White⁸⁵ and Jshoar Celey.⁸⁶ Celey was Isuing of beefe to the Soldiars and Lieutenant White was Concerned about the Rations. Celer ordered him out and White told him that he Did not use the Soldiars well, for he Sold the publick whiskey at fifty cents pur quart, and the[y] wold not alow the men more then fifty Cents pur gallon for ther back Rations. he give White the lye. White told Celey he Did not Rob Boyes wagon. Celey jurked on [one] of the Sentinals gunes out of ther hands and Cocked it at him and Captain McLing nocked the gun up wich Saved White from being Shot. Cunegum out of mairesvill⁸⁷ jurked Capt McLing away and told Celer to Shoot the dammed Scoundrel. White jumped to the gun. one of Capt McLings men caut Cunegum and Swore he Could whip him. Cunegum wold not fite him. Celer drew his Tomehock on a men be fore the Same day and threatened to Split him to the ground. the man went to his tent and got his gun to kill him. But when he went back he cold not find Celer tell his pation [passion] was Cold—

This evening about nine oclock ther was after the Revelee a drum and fife and fidele played from the Generals tent Down the first pretalion [battalion] then acrowss the End of the Line Coling [calling] at Everey Captains tent to Join them in the Seronaid to march Round the Deferent Ridgement to join In the Evning Seronaid. I my Selfe tooock up the Idea that ther was Some good nuse from General Jacksons armey. when all the Captains was Colected we formed in Coloms of fore [four]. the first Colom marched in frunt of the musick, the hole of the oficers in the Rare of the Rest. then we marched to the Colonals tents, which was in the senter of the Intervill. when

⁸⁵Lieutenant Frederick White was in Capt. Jacob Dyke's company, Lillard's regiment. Tennessee State Archives.

⁸⁶Joshua Celey, who was probably a quartermaster.

⁸⁷Cunningham from Maryville. An Alexander Cunningham served as a private in Capt. Lunsford Oliver's company, Col. John Brown's regiment. Tennessee State Archives.

all was Colected we marched to the Generals tent and beet Jefersons liberty⁸⁸ and marched Round the tent and halted in abrest, Expecting the General to Come and Selute us or reed Some leter. We stood about one minit and the General Did not appair. the[y] Sent in to his tent for to See what was the mater. the[y] found the General asliep when the[y] entered his tent. we stood there tell he got on His Close, when the General Came out and Did not Comedate us in the Least. he said Gentele men Come tordes the fiere. the officer ordered to the Rignt tebout face, Dismissed, which was Capt Hambileton from paules value.⁸⁹ the officers was much Displeases about it. To think that the[y] Shold Expose ther Selves to march in the cold So long to bee faced to the Right about and be dismissed at the Generals tent, when he Did not pay aney adresses to the officers when the[y] Came to his tent In order agree-abele to his order. Capt McLing and Captain Mc Loney and Capt Mckees⁹⁰ and Capt Dick and my selfe which was on one loine as we marched we Joined and made one file when we was faced to the Right about and dismissed we went to our tents verey Cold and not pleases well.

November 30 Day 1813—Magor Smith⁹¹ had the Deferent Companyes Coled to gether to Inspect ther arms. on adsamination ther was fourteen of my Companey guns out of Repair. Some of the locks was out of order, Some of the trigers was out of Repair—

The Generals⁹² Orders was to Every Captain in the Second Ridgement to make a trew a Statement of the Strenght and Condition of ther Company, gunes, amminitian, and quantety of men that Inroled and Started, and the number of Deserters, and number of Sick left be hind, number of men that got off by being Sick, the time when, and whare, ther names, and ther Disorder, the men that is gon with the wagon to Roses, or the plase whare aney of them might bee, the Day and Date when Inroled, and from what County the[y] Came—

A trew Returne of Captain Jacob Hartsells Company, of Est Tennessee Volenteers. In Roled October 12th 1813, In Jonesborough, Washington County.

Jacob Hartsell, Capt	1	James Casidy	4
Isaac Hartsell, Lieut	2	Corporals	
Samuel Bayles, do	3	Joshua Gaines	1
George Starmer, Ensign	4	Thomas Carley	2
Sergeants		Anthoney Holen	3
Thomas Sheral	1	Adam Andis	4
John G Rubels	2	Privats	
John Odele	3	John Shagle	1

⁸⁸Jefferson's Liberty March, a popular air during the War of 1812.

⁸⁹Capt. William Hamilton from Powell's Valley, the captain who volunteered for longer service when Lillard's regiment went home in January.

⁹⁰Capt. George Keyes of Sullivan county.

⁹¹Alexander Smith served as inspector general under Cocke during the 1813 campaign. In 1814 he served as first major under Col. Samuel Bunch and Brig. Gen. George Doherty, of the East Tennessee militia. Tennessee State Archives.

⁹²Gen. Thomas Pinckney, commander of the entire Southern Division, ordered Jackson to render a complete return of all the troops. Bassett, *op. cit.*, I, 352.

Deserted November 14 day 1813			alexander fulkirson	37
George Bayles	2		Terey White	38
abraham fine	3		Thomas Whitecer	39
Stith M Laughling	4			
Richard Haile	5		got off by aplying to fision october	
Philip Creselus	6		29 day 1813	
andrew Lilbourn	7		Samuel Dugles	40
John Walker	8		Samuel Millir	41
Jese Garland	9		Jacob Jackson	42
Philip McCray	10		John Inglish	43
Jonathan Tucker	11			
Samuel Randeles	12		got off by aplying to a fision october	
John Tilson	13		29 day 1813	
Wm Battles	14		Abram Tinker	44
Thomas D Briles	16		Lenard Calvert	45
Jesse Hampton	17		John Fulmer	46
George Jackson	18		Joseph Briton	47
Thomas Baron	19		Stephen pitcock	48
William Ingle	20		John Ingram	49
Turner Smith	21		William Proyer	50
Adam White	22		John Wood	51
John Ingle	23		Thomas Charlton	52
Isaac Thrasher	24		Fredrick Starens	53
Jonathan Collens	25		Joseph McGines	54
James Eperson	26		Joseph Lain	55
John Cloyed	27			
John Brown	28		left Sick be hind October 29 day 1813	
Joseph Haire	29		Henry Nelson	56
Isaac Charler	30		James Mitchale	57
Davied Boman	31		Moses Jobe	58
John Garland	32		James Wilhite	59
Henry Click	33		Joshua Collens	60
William Whitson	34		Moses Conk	61
Hugh Marton	35		Benjamin Eperson	62
James Vest	36		John Mitchale	63

Everey man armed—Number of armes..... 72

Pounds of Powder in Company..... 20 lbs.

Lbs Lead in Sd Company..... 10 pounds

November 30 day 1813 signed by me

Jacob Hartsell Captain of a Company of Est Tennessee Volenteers

November 30 day 1813—Capt Mc Loney Company, Capt Mc Lings Camped Below me, Capt Dicks above. My Company was formed in the Senter, the other Company formed on Each wing, in one Straight Line which Composed one pretalion [battalion]. when all the Men was Colected and Compleateley Everey man armed, It made the best Show that I ever Saw. agedent Wm Nolen⁹³ Came and Driled the Deferent Companey. The agedent Said it was Don in high Stile. It much plaised him to See men So well Dicipelened, And I believe there was not one musket in the hole Loine. I think that it was the pretyeth Muster that I ever Saw with my eyes. Jacob Hartsell, Capt.

On last Evning we Recived orders on the first Day of December to pre-rade Everey Company at nine oclock in the morning To larn the Deferent

⁹³Hartsell meant Adjutant Thomas Nolen of Lillard's regiment.

Steps and the Deferent fasings, the formation of Companey, Displaying of Coloms, and forming Companey from Coloms. I Caled my Companey to gether at the Beat of Drum at nine oclock. I ranked and Size My Companey the quickes and Easiest and best that Ever was Seene in the United States, which amaised all the other Companey so much that the[y] Did not Doo anyething but Stand and loock at my Companey for Some time. then the Deferent Companey begun to form plat toons. Some of them wold have three men in a platoon, Some five in a platoon which made the motions quite ocred [awkward]. my Companey purformed So well that the[y] got the praise of all the men in the Ridgement—

Head quarters—Fort Armstrong—28 November 1813—Perole Heron Countersign Harabel By Command—Andrew Cowan⁹⁴ Depty quarter Magor General. Captain Jacob Hartsell Officer of the Day. on the first day of november. the Perole Thomas, Countersign Madeson—*

⁹⁴Andrew Cowan served as senior adjutant under Maj. Gen. John Cocke, November 25, 1813. Tennessee State Archives.

*The second, and concluding, installment of the "J. Hartsell Memora" will appear in No. 12 of the *Publications*.

MARRIAGE NOTICES APPEARING IN KNOXVILLE
NEWSPAPERS, 1791-1813*

Compiled By

CARRIE C. DEMING AND LAURA E. LUTTRELL

MARRIAGES

- Anderson, [Margaretta], to David Deaderick, merchant of Jonesborough. Jan. 1, 1795. Kg 1-9-95.
- Bennett, Polly, to George Alexander Martin, at Richmond, Virginia. July 9, 1810. WKg 7-7-10.
- Booth, Major Edwin E., to Mrs. Alce Murphy, relict of Dennis Murphy, deceased, of Knox co., Oct. 16, 1808. By Rev. Samuel Carrick. WKg 10-19-08.
- Caldwell, David, to Elizabeth Kelly, daughter of Col. Alexander Kelly, of Knox co. Lately. Kg 5-8-94.
- Campbell, Andrew, of Rogersville, to Jane B. Campbell, daughter of Col. Arthur Campbell, of Knox co., Ky. May 2, 1811. By Rev. Duke Kimbro. WKg 5-13-11.
- Carrick, John Montgomery, to Betsy Vance, daughter of Maj. Samuel Vance, at Greenville: June 1, 1797. Kg 6-12-97.
- Carrick, Rev. Samuel, to Annis McClellan. Jan. 27, 1794. Kg 1-30-94.
- Chisolm, Elizabeth, daughter of John Chisolm, to John Sommerville, merchant. May 21, 1794. Kg 5-22-94.
- Clark, Letitia, daughter of Thomas N. Clark, of Southwest Point, to James Trimble, attorney at law. Nov. 10, 1808. By Rev. Samuel Carrick. WKg 11-16-08.
- Conn, Major James, of Grainger co., to Jenny Henderson, daughter of Capt. William Henderson. Oct. 13, 1810. WKg 11-3-10.
- Copeland, Mary, daughter of Capt. Wm. Copeland, to Ethelred Williams, merchant, Bean Station. July 27, 1809. By John Cocke. WKg 8-5-09.

*The newspapers (or photostats) from which these abstracts were made are: *Knoxville Gazette* (represented Kg), November 5, 1791-July 31, 1795, December 19, 26, 1796, January 2-June 19, 1797, and October 31, 1803; and *Wilson's Knoxville Gazette* (represented WKg), January 6, 1808-June 3, 1811, August 12, 1811-November 15, 1813—all in the files of the McClung Historical Collection, Lawson McGhee Library, Knoxville, Tennessee. It is of interest to note that George Roulstone, publisher of the *Knoxville Gazette*, married in May, 1794 (Knox County Records) to Elizabeth Gilliam, daughter of Devereux Gilliam, made no mention of his own marriage. However, in the same month, he adds to the marriage notice of John Sommerville, merchant, to Miss Elizabeth Chisolm, a poem of eight lines.

Cosby, John, to Abigail McBee. Aug. 14, 1808. By Rev. Isaac Anderson. WKg 8-7-08.

Cowan, Samuel, merchant, to Jane Montgomery, of Salisbury, N. C., at Jonesborough. Lately. Kg. 5-8-94.

Craig, Elizabeth, daughter of Robert Craig, to Claiborne Watkins, of Abingdon, Virginia. May 15, 1794. Kg 6-5-94.

Crockett, William, to Polly Flesheart. Nov. 14, 1811. By Rev. John McCampbell. WKg 11-18-11.

Davis, Peggy, to Robert Houston. Mar. 20, 1794. Kg 3-27-94.

Deaderick, David, merchant of Jonesborough, to [Margaretta] Anderson. Jan. 1, 1795. Kg 1-9-95.

Dunlap, Hugh, merchant, to Susannah Ellis Gilliam, daughter of Captain Devereux Gilliam. June 12, 1794. Kg 6-19-94.

Durant, Ann Jane, to Sick-quo-in-ne Youchee (alias Hog Killer; alias John Walker), Feb. 5, 1797, at Philadelphia. By Hilary Baker. Kg 2-26-97.

Dyer, Frances, to Thomas Mitchell. April 10, 1794, in Hawkins co. Kg 4-24-94.

Edington, James, to Sally Haley, of Roane co. May 23, 1811. WKg 5-27-11.

Flesheart, Polly, to William Crockett. Nov. 14, 1811. By Rev. John McCampbell. WKg 11-18-11.

Floyd, Reeder S., to Mary Newman. May 18, 1809. By Rev. J. N. Smith. WKg 5-20-09.

Fristoe, Robert L., to Susan Grove, daughter of Wm. Grove. Nov. 14, 1811. WKg 12-2-11.

Gilliam, Susannah Ellis, daughter of Capt. Devereux Gilliam, to Hugh Dunlap, merchant. June 12, 1794. Kg 6-19-94.

Goodson, Jenny, to Joseph Revely, in Sullivan co. Jan. 24, 1797. Kg 2-6-97.

Greer, Joseph, of Lincoln co., to Mary Ann Harmon, of Bedford co. In Jan. 1811. WKg 2-2-11.

Greer, Polly, daughter of the late Alexander Greer, of Bedford co., to Daniel McKaffick, clerk of the circuit court. WKg 11-10-10. From the *Clarion*.

Greer, Vance, to Eliza E. Kennedy, daughter of Robert Kennedy, Lincoln co. On Tuesday se'night. WKg 11-10-10. From the *Clarion*.

Grove, Susan, daughter of Wm. Grove, to Robert L. Fristoe. Nov. 14, 1811. WKg 12-2-11.

Haaris, Thomas K., to Polly Moore, daughter of Rev. Mr. Moore, of Davidson co. Oct. 25, 1810. WKg 11-17-10. From *The Review*, Oct. 26.

Haley, Sally, of Roane co., to James Edington. May 23, 1811. WKg 5-27-11.

- Harmon, Mary Ann, of Bedford co., to Joseph Greer, of Lincoln co. In Jan. 1811. WKg 2-2-11.
- Hart, Robert, of the firm, Ramsey, Hart & C., to Martha Thompson, of Davidson co. WKg 10-12-08. From the *Clarion*.
- Henderson, Jenny, daughter of Capt. William Henderson, to Major James Conn, of Grainger co. Oct. 13, 1810. WKg 11-3-10.
- Houston, Robert, to Peggy Davis. March 20, 1794. Kg 3-27-94.
- Kain, Jane, daughter of Capt. John Kain, to Dr. Joseph C. Strong. May 23, 1811. By Rev. Isaac Anderson. WKg 5-27-11.
- Kain, Martha, daughter of John Kain, to Robert King. Mar. 17, 1808. WKg 3-23-08.
- Kelly, Elizabeth, daughter of Col. Alexander Kelly, to David Caldwell. Lately. Kg 5-8-1794.
- Kennedy, Eliza E., daughter of Robert Kennedy, to Vance Greer, of Lincoln co. Tuesday se'night. WKg 11-10-10.
- King, Robert, to Martha Kain, daughter of John Kain. Mar. 17, 1808. WKg 3-23-08.
- King, Walter, to Nancy Sevier, daughter of John Sevier. Jan. 1, 1795. Kg 1-9-95
- McBee, Abigail, to John Cosby. Aug. 14, 1808. By Rev. Isaac Anderson. WKg 8-17-08.
- McClellan, Annis, to Rev. Samuel Carrick. Jan. 27, 1794. Kg 1-30-94.
- McClellan, John, to Polly Wallace, daughter of William Wallace. May 14, 1794. Kg 5-22-94.
- McClellan, Lt. William, of the U. S. army, to Elizabeth Sevier, daughter of John Sevier. Aug. 9, 1810. By Rev. Samuel G. Ramsay. WKg 9-11-10.
- McDermott, Lt. Paul, of the squadron of light dragoons in the U. S. Army, to Miss Outlaw, daughter of Col. Alexander Outlaw, of Jefferson co. March 9, 1797. By Rev. Mr. Balch. Kg 3-20-97.
- McKaffick, Daniel, clerk of the circuit court, to Polly Greer, daughter of the late Alexander Greer, of Bedford co. Oct. 18, 1810. WKg 11-10-10. From the *Clarion*, 2d inst.
- McSherry, William, to Elizabeth Peterson. July 23, 1813. By Rev. T. H. Nelson. WKg 7-26-13.
- Martin, George Alexander, of Richmond, Va., to Polly Bennett. June 9, 1810, at Richmond. WKg 7-7-10.
- Mitchell, Edward, to Betsy Smith. Lately, in Hawkins co. Kg 5-8-94.
- Mitchell, Thomas, to Frances Dyer. Apr. 10, 1794, in Hawkins co. Kg 4-24-94.
- Montgomery, Jane, of Salisbury, N. C., to Samuel Cowan, merchant. Lately, at Jonesborough. Kg 5-8-94.

- Moore, Polly, daughter of Rev. Mr. Moore, of Davidson co., to Thomas K. Haaris. Oct. 25, 1810. WKg 11-17-10. From *The Review*, Oct. 26.
- Murphy, Mrs. Alce, relict of Dennis Murphy, deceased, of Knox co., to Major Edwin E. Booth. Oct. 16, 1808. By Rev. Samuel Carrick. WKg 10-19-08.
- Newman, Mary, to Reeder S. Floyd. May 18, 1809. By Rev. J. N. Smith. WKg 5-20-09.
- Outlaw, Miss, daughter of Col. Alexander Outlaw, of Jefferson co., to Lt. Paul McDermott. March 9, 1797. By Rev. Mr. Balch. WKg 3-20-97.
- Peterson, Elizabeth, to William McSherry. July 23, 1813. By Rev. T. H. Nelson. WKg 7-26-13.
- Revely, Joseph, to Jenny Goodson. Jan. 24, 1797, in Sullivan co. Kg 2-6-97.
- Richards, Miss, of Batstoe, New Jersey, to Major John Sevier, of Jonesborough. Lately. Kg 4-10-94.
- Sevier, Elizabeth, daughter of John Sevier, to Lt. William McClellan. Aug. 9, 1810. WKg 8-11-10.
- Sevier, Major John, of Jonesborough, to Miss Richards, of Batstoe, New Jersey. Lately. Kg 4-10-94.
- Sevier, Nancy, daughter of John Sevier, to Walter King. Jan. 1, 1795. Kg 1-9-95.
- Sick-quo-in-ne Youchee, Cherokee chief. See Walker, John.
- Smith, Betsy, to Edward Mitchell. Lately, in Hawkins co. Kg 5-8-94.
- Sommerville, John, merchant, to Elizabeth Chisolm, daughter of John Chisolm. May 21, 1794. Kg 5-22-94.
- Strong, Dr. Joseph C., to Jane Kain, daughter of Captain John Kain. May 23, 1811. By Rev. Isaac Anderson. WKg 5-27-11.
- Thompson, Martha, of Davidson co., to Robert Hart. Last Thursday. WKg Oct. 12, 1808. From the *Clarion*.
- Trimble, James, atty at law, to Letitia Clark, daughter of Thomas N. Clark, of Southwest Point. Nov. 10, 1808. By Rev. Samuel Carrick. WKg 11-16-08.
- Vance, Betsy, daughter of Major Samuel Vance, to John Montgomery Carrick. June 1, 1797, at Greeneville. Kg 6-12-97.
- Walker, John (alias Sick-quo-in-ne Youchee; alias the Hog Killer), Cherokee chief, to Ann Jane Durant, Feb. 5, 1797, in Philadelphia. By Hilary Baker. Kg 2-20-97.
- Wallace, Polly, daughter of William Wallace, to John McClellan. May 14, 1794. Kg 5-22-94.

Watkins, Claiborne, to Elizabeth Craig, daughter of Robert Craig. May 15, 1794, at Abingdon, Virginia. Kg 6-5-94.

Williams, Ethelred, merchant, Bean's Station, to Mary Copeland, daughter of Capt. William Copeland, of Grainger co. July 27, 1809. By John Cocke. WKg 8-5-09.

WRITINGS ON TENNESSEE HISTORY, 1938*

Compiled by LAURA E. LUTTRELL

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- Armstrong, Walter P. Law schools in Tennessee. (Tenn. law rev. Ap '38. v. 15: 212-216) [Address delivered at Vanderbilt university, Nashville, Feb. 4, 1939]
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- Capers, Gerald M. Yellow fever in Memphis in the 1870's. (Miss v. hist. rev. Mr '38. v. 24: 483-502)
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- Caughy, John Walton. McGillivray of the Greeks. Norman, University of Oklahoma press, 1938. xv, 385 p. 2 facsim.
- Chase, Stuart. Rich land, poor land. A study of waste in the natural resources of America. . . . New York, McGraw-Hill book co. [c1936] x, 361 p. illus., diagrs., maps. [Tennessee valley, p. 262-287]
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- CHEROKEE INDIANS. Brown, J. P. Eastern Cherokee chiefs. (Chron. of Okla. Mr '38. v. 16: 3-35)
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- . Litton, G. L. The principal chiefs of the Cherokee nation. (Chron. of Okla. S '37. v. 15: 253-270)
- Clendenning, Robert and Torbert, E. N. Agricultural problems in Grainger county, Tennessee. (Econ. geog. Ap '38. v. 14: 159-166. illus., maps)
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- DEW FAMILY. Smith, Mrs. A. I. East Tennessee Dew families. (in White, Mrs. E. D. Genealogy of some of the descendents of Thomas Dew, . . . 1937. p. 269-301)
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- GRUNDY. Parks, J. H. Felix Grundy and the depression of 1819 in Tennessee. (East Tenn. hist. soc. Pubs. 1938. no. 10:19-43)
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- THE HERMITAGE. Horn, S. F. The Hermitage: home of Old Hickory. Richmond, Va., Garrett & Massie, 1938. xi, 225 p. front., illus., ports., plates, map, facsim. (Plans on end papers)
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- Hodge, Clarence Lewis. The Tennessee valley authority: a national experiment in regionalism. Washington, American university press, 1938. xii, 272 p.
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- . TVA hails Knoxville; city buys power company, and the Authority gets its largest municipal customer. (Bus. wk. S 3'38. p.21)
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Whittle, Arthur E. Through the mist of the years, presented at the Sesquicentennial of Clarksville, Tennessee, June 10-13, 1934. [Clarksville, Tenn.] [60] p. port. (On cover: A historical drama)

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Wilson, Samuel L. Daybreak and dawn of Tennessee Kentucky history. (Filson club hist. qr. Ap '38)

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UNPUBLISHED MASTER'S THESES, 1938

University of Tennessee

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Curtis, Charles R. The state regulation of banking in Tennessee since 1870.

Holly, John Fred. The social and economic effects produced upon small towns by rapid industrialization. [Elizabethton and Kingsport]

Humphreys, Cecil C. The history of the Reelfoot Lake region.

Leab, Grace. The temperance movement in Tennessee, 1860-1907.

Nicely, Verdel. History of the Tennessee penitentiary, 1865-1890.

Vanderbilt University

Browning, Howard Miller. Washington county court: the government of a Tennessee frontier community.

Cassell, Robert Bernard. Public career of Newton Cannon.

Davis, James Treadwell. The union of the Cumberland Presbyterians with the Presbyterian church, U. S. A.

Lanier, Charles N., Jr. Rural electrification in Tennessee.

UNPUBLISHED DOCTORAL DISSERTATIONS, 1938

Alexander, Frank D. Owners and tenants of small farms in the life of a selected community: a cultural analysis. [McNairy county] (Vanderbilt)

IN PREPARATION

(From Cole, Fred. Research projects in southern history, in J. so. hist. N '38. Carnegie institute List of doctoral dissertations now in progress at American universities. Dec. 1938, and other sources)

- Capers, Gerald M. Biography of a river town—Memphis; its heroic age. 325 p. prin. (Yale)
- Chappell, Gordon T. Life of General John Coffee. (Vanderbilt)
- Clark, Blanche Henry. The non-slave holding farmer in Tennessee. (Ward-Belmont)
- Donnald, Morrill B. Newspapers as political organs in antebellum Tennessee. (Vanderbilt)
- Davenport, F. Garvin. Cultural life in Nashville, 1825-1860. fin. (Transylvania)
- Duke, Cecil A. The federal Indian policy in the Old Southwest. (Vanderbilt)
- England, James M. The free negro in Tennessee. (Vanderbilt)
- Folmsbee, Stanley J. Sectionalism and internal improvements in Tennessee. 278 p. prin. (University of Tennessee)
- Folmsbee, Stanley J. A history of Tennessee. (University of Tennessee)
- Holland, Cecil. Biography of General Hunt Morgan, Confederate cavalry leader and raider. (*Chattanooga News*)
- James, Joseph B. Edmund Kirby Smith, soldier of the South. (Illinois)
- Jordan, W. T. Biography of George Washington Campbell. fin. (Judson)
- Mooney, Chase C. Agriculture in Tennessee. (Vanderbilt)
- Mooney, Chase C. Slavery in Tennessee. (Vanderbilt)
- O'Dell, Mrs. Ruth W. The story of Cocke county. (Newport) Being published.
- Overdyke, William D. The know-nothing movement in the South. (Duke)
- Parks, Joseph H. Biography of Felix Grundy of Tennessee. fin. (State teachers college, Memphis)
- Parks, Joseph H. Biography of John Bell of Tennessee. (State teachers college, Memphis)
- Parks, Norman L. The public life of John Bell. (Vanderbilt)
- Queener, Verton M. A history of the Republican party in East Tennessee. (Maryville)
- Rogers, W. Flynn. A. L. Maxwell, Jr., bridge builder and industrialist. (State teachers college, Johnson City)
- Rogers, W. Flynn. Iron industry in upper Tennessee. (State teachers college, Johnson City)
- Rogers, W. Flynn. Manufacture of war supplies in Tennessee for the Confederacy. (State teachers college, Johnson City)
- Williams, Samuel Cole. Tennessee in the Revolutionary war. (Johnson City)

BOOK NOTICES

Books to be noticed will be those bearing directly or indirectly upon some phases of the history of Tennessee. There is no intention of reviewing books critically; the purpose of the *Publications* will be served in supplying bibliographical data and in indicating something of the nature of the subject matter.

An Archaeological Survey of the Norris Basin in Eastern Tennessee. By William S. Webb. Smithsonian Institution, Bureau of American Ethnology, *Bulletin* 118. (Washington, D. C.: Government Printing Office, 1938. xv + 398 pp. \$1.00.)

"As early as August 1933 the suggestion was made by interested citizens that the Tennessee Valley Authority should undertake archaeological investigations in the areas to be flooded by the building of dams on the streams in the Tennessee Valley. It was recognized that the construction of dams and the consequent flooding of large areas adjacent to such construction would destroy all records of prehistoric occupation and forever prevent future archaeological investigation of such inundated regions.

"The importance of such areas for archaeological investigation is at once apparent. For prehistorical man the rivers were his highways. The rivers were attractive to aboriginal man also because there he found a never-ending source of food in great quantity which was comparatively easy to obtain. The fertile bottom lands furnished ideal sites for the location of villages, especially for those peoples practicing rudimentary agriculture. Since this region was the known home of diverse Indian tribes in early historic times, it was to be expected that the areas along the streams of the Tennessee Valley would show much evidence of prehistoric occupation.

"While the desirability of an archaeological survey of this region was obvious, the means for its accomplishment were not at once available. Many obstacles stood in the way of such a project. With the initiation of the Civil Works Administration, however, at least one of these obstacles was removed. It was immediately suggested that an archaeological survey of the areas to be inundated was one of the important projects which could be sponsored by the Tennessee Valley Authority and in which Civil Works Administration labor could be well employed.

"In December 1933 a conference was called in Knoxville, which was attended by representatives of the Tennessee Valley Authority, the University of Tennessee, and the University of Alabama. Mr. Neil M. Judd, curator of archaeology of the United States National Museum, was invited to act as a consultant for this group. As a result of tentative plans and suggestions made at this conference, the work of the survey of the Norris Basin was begun about January 8, 1934, with the author acting as supervising

archaeologist for the Tennessee Valley Authority. The work continued with the use of Civil Works Administration labor until the time of its demobilization in March 1934, and with various interruptions continued until July 1, 1934, using Federal Emergency Relief Administration labor.

"This survey revealed 23 sites showing definite evidence of prehistoric occupation. The location of each of these sites is shown in the map of the Basin which accompanies this report (pl. 1). On the 23 sites investigated there were 20 earth mounds, 9 stone mounds, 4 village sites, and 7 caves. Of these 29 mounds, 12 were burial mounds and 17 were associated with prehistoric structures. On these sites were located the remains of 54 wooden structures, 20 of which were thought to have been dwellings and 34 of which have been designated as 'town houses.' Of these 34, 7 had suffered incomplete combustion and had collapsed and fallen after being reduced to charcoal. The detailed description of each of these sites in numerical order forms a large part of the body of the report.

"After the close of field work in the basin all of the artifacts recovered were deposited at the University of Tennessee, where the author had opportunity to study and photograph them, in order that this additional information might supplement the large body of information obtained by field exploration. All skeletal material recovered was shipped to the department of anthropology and archaeology of the University of Kentucky for restoration, study, and report. Samples of potsherds from all sites were sent to the ceramic repository of the University of Michigan for study and report.

"A study of the dendrochronology of the living trees of the Norris Basin, which was begun during the period of field work, was continued with gratifying results at the University of New Mexico. For this study samples of wood taken from the various sites excavated in the Norris Basin were used.

"The results of all of these studies are included in this report as a valuable addition to the information recovered by the survey." (Introduction.)

The work is extensively illustrated, and contains a number of tables and charts and a brief bibliography.

This bulletin is the first of a series of archaeological reports based on studies conducted under the direction of the Research Section, Social and Economic Division of the Tennessee Valley Authority. A report on the archaeology of the Wheeler Basin is now being prepared, and it is hoped that additional publications dealing with the prehistory of other basins can be added to the series.

Old Frontiers: The Story of the Cherokee Indians from Earliest Times to the Date of Their Removal to the West, 1838. By John P. Brown. (Kingsport, Tennessee: Southern Publishers, Inc., 1938. xi + 570 pp. \$3.75.)

"OLD FRONTIERS is not the story of the Indian removal, although that subject is treated incidentally. The book is an attempt to draw together from

many sources an authentic story of the Cherokees, from earliest times. It is, mainly, the story of their struggle to hold the land of their fathers against white encroachment. If the author's sympathy has been enlisted at times for the Indian, he has tried to present the facts impartially, recognizing, as did General Henry Knox, President Washington's Secretary for War, 'If the Indians are to blame, we white people have not always been without fault.'

"It is the hope of the author that OLD FRONTIERS may find for itself a useful place in the interest of general readers, of educational circles; and in the service of present day Cherokees, descendants of Oconostota, the Little Carpenter, Dragging Canoe, and John Watts. That these men loved the soil of America with passionate attachment cannot be denied. The title of patriot may not be denied them because it was against our own forefathers that they waged war. We may now recognize that one of the great minds of all time was possessed by the untutored Sequoyah; and surely, the pages of history reveal no finer act of patriotism than that of humble Cherokee Charlie. If the Indian scalped his enemy, or burned at the stake the man who would take his country, it was none-the-less America for which he fought, with the only means at his command. Recognizing the faults of the red man, and balancing them against his treatment at our hands, the scales tip in his favor."

The volume is divided into four "books": The Cherokees, Dragging Canoe, John Watts, and The White Path. The chapters are entitled: I. The Savage Napoleon; II. The Seven Clans; III. Conquistador; IV. The Great White Father; V. Fort Loudoun; VI. French or English?; VII. Elder Brother; VIII. An American Takes His Stand; IX. The War Chief; X. Saga of the River; XI. Nolichucky Jack Rides; XII. War Path; XIII. The Wilderness Road; XIV. The Lost State; XV. Growing Pains; XVI. High Tide; XVII. Sevier to the Rescue; XVIII. Tomahawk Diplomacy; XIX. St. Clair; XX. A Patriot Passes; XXI. "To War We Will Go Together"; XXII. Fighting in Armies; XXIII. Hair and Horses; XXIV. Doublehead and Bench; XXV. Mad Anthony Wayne; XXVI. End of the Trail; XXVII. The House of Peace; XXVIII. Doublehead's Last Fight; XXIX. Tecumseh and the Prophet; XXX. The Missionaries; XXXI. West of the Mississippi; XXXII. Talking Stones; XXXIII. A Nation Within a State; XXXIV. Benevolent Intentions; XXXV. The Trail of Tears; XXXVI. Tsali.

The appendix contains the Cherokee vocabulary, a list of Cherokee land cessions, and the text of the treaty of Sycamore Shoals. Among the numerous illustrations are several maps, including a map of the Cherokee country, and a map of the Cherokee land cessions. The work is well documented and contains a bibliography.

Sequoyah. By Grant Foreman. (Norman: University of Oklahoma Press, 1938. 90 pp. \$1.50.)

"SEQUOYAH is celebrated as an illiterate Indian genius who, solely from the resources of his mind, endowed a whole tribe with learning; the only man in history to conceive and perfect in its entirety an alphabet or syllabary. . . .

"Most significant and lasting memorial to the immortal Sequoyah is the learning and culture of a fine body of Americans, the Cherokee people. Their advanced position in society directly traceable to Sequoyah's works, exercised a beneficent influence on other tribes of Indians and contributed substantially to the civilization of the new state of which they are a part." (Pp. 3, 81.)

Included as a part of Professor Foreman's brief account of Sequoyah are several extensive quotations from contemporary descriptions of his life and work and tributes to the significance of his achievement. Included also are several illustrations, among them being the Cherokee alphabet and George Guess (Sequoyah). There is a short bibliography, but no footnotes.

McGillivray of the Creeks. By John Walton Caughey. (Norman: University of Oklahoma Press, 1938. xvii + 385 pp. \$3.50.)

"North America has produced no more extraordinary Indian leader than Alexander McGillivray. Born and reared in the Creek Nation but educated at Charleston and Savannah, he knew the ways of his tribesmen and understood the methods of the whites. Thus doubly equipped, he was the natural choice of the Creeks for the direction of their tribal affairs in the critical decade following the American Revolution.

"From the Indian standpoint all American history can be reduced to terms of defending their lands against Caucasian encroachment. For McGillivray even this problem was multiple. The Creeks were virtually surrounded. He had to deal with the frontiersmen of Georgia, with the Cumberland settlers in Tennessee, with the American land speculators, with the Spaniards of Louisiana and the Floridas, and with English intrigues and expeditions. Against these forces he pitted his diplomatic talents. . . .

"Despite his recognized importance most of the source materials on McGillivray's career have remained inaccessible. The primary purpose of this study, launched some eight or nine years ago, has been to assemble and make conveniently available the essential documents descriptive of the man and his work. As the project developed, the broad significance of his correspondence became increasingly apparent. His letters recount the struggle for the Old Southwest in the period after the Revolutionary War. They depict the trials of the United States in the first years of national existence. They reveal a vigorous Spanish frontier policy, long after Spain had supposedly passed into her dotage as a colonial power. Above all, they voice the Indian sentiment concerning European expansion in America. Delineation of McGillivray's remarkable personality is the central contribution of these documents, but they also epitomize the history of colonial North America. . . ." (Preface.)

With the exception of a fifty-seven page biographical sketch of McGillivray, the work is made up largely of what appears to be a very complete edition of "McGillivray's Correspondence and Related Papers," gathered principally from the Papeles de Cuba section of the Archivo General de Indias at Seville, Spain, the Archivo Historico Nacional at Madrid, the East Florida Papers in

the Library of Congress, and the Louisiana Collection of the Bancroft Library at Berkeley, California. The Spanish letters appear in English translations and the series of documents as a whole is provided with ample editorial notes. Included also are two facsimiles of McGillivray letters, a bibliography, and an adequate index.

Territorial Papers of the United States. Compiled and edited by Clarence Edwin Carter. Vol. VI, *The Territory of Mississippi, 1809-1817.* (Washington, D. C.: Government Printing Office, 1938. v + 893 pp. \$1.50.)

"The volume contains the official papers, found in the archives in Washington pertaining to the Territory of Mississippi during the years 1809-1817; it is a continuation of volume V, already published which embodied similar documents for the period 1798-1809. The papers here printed are drawn from the correspondence between Federal and territorial officials, between the territorial officers themselves, and from a wide range of other sources, including petitions from the inhabitants to Congress, reports of congressional committees, proclamations, census reports, and letters of applicants for office.

"In their entirety, these letters and documents present a composite and many sided picture of the territorial period with frequent and interesting side lights on national affairs. The correspondence between the Federal and territorial officers discloses a continuous stream of administrative problems relating to the application of the land laws, the extension of postal facilities, and the organization of local government. The ever-present Indian problem was aggravated by the demands of land-hungry immigrants and the activities of the Spanish in neighboring Florida. The administration of the land system was complicated by the incursions of intruders or squatters on the public and Indian lands, and by the demands of legitimate purchasers for more favored treatment from the national government. Also characteristic of the period are the frequent references to the vigorous and bitter factional disputes of frontier politics." (Press Release.)

As was the case with the preceding volumes of the series (of which Volume IV was *The Southwest Territory*), the work is provided with extensive notes and an excellent index. Included are numerous letters to or from notable Tennesseans or former Tennesseans, and the Indian affairs and land problems of the Mississippi Territory were intimately connected with Tennessee history.

The Writings of Sam Houston. Edited by Amelia W. Williams and Eugene C. Barker. Vol. I. 1813-1836. (Austin Texas: The University of Texas Press, 1938. xxi + 526 pp. \$3.25.)

"Notwithstanding Houston's remarkable public career and the numerous biographies that have been written of him, there has hitherto been no effort to publish a complete compilation of his available writings. This statement is not to ignore the considerable collection of documents in Yoakum, *History of Texas* (1855) and in Crane, *Life and Select Literary Remains of Sam Houston*

(copyright date 1884) It is necessary to emphasize *available*, for Houston's writings are widely scattered and by no means completely available. Some are in possession of members of his family, who withhold them from publication or examination. Many are in the hands of collectors who will neither sell the originals nor furnish copies. Several considerable collections are known to be for sale, but the owners decline to put a price upon them. Much additional Houston material will ultimately become available, but, in the meantime, it seems desirable to publish this compilation, which undoubtedly comprehends the great bulk of Houston's extant writings.

"The materials in this volume touch upon Houston's career as a lieutenant in the United States Army, as a Member of Congress from Tennessee and Governor of Tennessee, as United States Indian Agent in the Southwest, as Commander in Chief in the Texas Revolution, and as President of the Republic of Texas. Perhaps the most interesting groups of material relate to his life among the Indians and to a somewhat shadowy connection with stockholders of the Galveston Bay and Texas Land Company (of New York) who had claims to large grants of Texas lands. . . .

"We have included all available writings, no matter how often specific pieces may have been printed before, with the exception of purely formal documents, such as legal acknowledgments, deeds, and commissions issued to various officers. In one instance, we have included an important series of letters written to Houston. These letters were written by James Prentiss, of New York, and relate to speculation in Texas lands. Houston's letters on the same subject would be even more puzzling than they are without both sides of the correspondence.

"Miss William's editorial notes, particularly her biographical notes, are full—even copious—and add greatly to the interest and value of the work. This volume and subsequent volumes, which are edited in the same way, will contribute to a fuller and just understanding of Houston and his work. . . ." (Preface.)

Isaac Franklin: Slave Trader and Planter of the Old South. By Wendell Holmes Stephenson. (University, Louisiana: Louisiana State University Press, 1938. xi + 368 pp. \$3.00.)

"The Old South has been the theme of historical scholars since the turn of the century. Analysis of its life and labor, its constitutional development, its minority role, its financial structure, and its public policy have partially recreated a section long neglected by scholarly approach. Especially have its upper and lower strata been exploited, and a fairly accurate picture of planters and slaves in Southern economic and social life is a *fait accompli*. In this premise, the task that remains is twofold. Further study of planters and plantations may modify tentative conclusions by showing what was unusual and what customary in their scheme of life; and investigation of the role of other plantation functionaries may give a more complete view of the interdependence of planters and the agents who served them. The late Professor Bassett introduced the plantation overseers in rather faithful attire, and the slave trader

has received partial recognition. As yet, no comprehensive scholarly monograph has analyzed the contributions of the commission merchant or factor to plantation economy.

"Isaac Franklin, slave trader and planter of the Old South, successfully combined two important vocations, and his transactions with factorage firms were so voluminous that the commission merchant occupies a dominant position in his records. Unlike most planters of his rank, he was little interested in public affairs. The fact that he was a professional slave trader would probably have barred him from public office even if he had possessed political ambitions. He was not a social outcast, however, for he invested his profits in land and slaves, and like many other traders who were attached to the soil, he moved in a social circle which befitted his wealth. Among his most intimate friends were the factors to whom he sold his cotton and from whom he purchased plantation supplies.

"This study has been organized into three divisions. Part I presents Franklin's family background; discusses the assembling of slaves in the Chesapeake region, their transportation to the Southwest, and their sale in the Natchez and New Orleans markets; and analyzes Franklin's activities as a planter. Part II consists mainly of land transfers, inventories, and appraisals illustrating the creation, extent, and disposition of his Tennessee and Louisiana property. Part III embraces financial records of the Louisiana plantations in the quadrennium from 1846 to 1850. The study is significant not so much because of Franklin's personal record but rather for the light it throws upon the long-distance slave trade and the plantation regime. Probably the most important part of it is embraced in the documents which relate to his Louisiana plantations. It was originally intended to include some source material illustrative of the slave trade, but this was abandoned because it seemed preferable to analyze it in detail in the introductory chapters.

"For nearly a decade the writer has sought evidence of Franklin's activities and has found historical records wherever he acquired property or engaged in business; at Nashville and Gallatin, Tennessee; at Natchez and Jackson, Mississippi; at New Orleans, St. Francisville, and Vidalia, Louisiana; and at Alexandria and Washington, D. C. Failure to locate the account books and papers of his business partner, John Armfield, has detracted seriously from the value of that portion of the study dealing with the slave trade. That such records existed cannot be doubted, but shadowy clews have ended in fruitless searches. Meantime, some important notes on Franklin as a slave trader have found their way into print. It has seemed expedient to use several items already published in order to include within a single volume as complete a story as possible." (Introduction.)

Included are several illustrations, including "Fairvue, Isaac Franklin's Tennessee Mansion," and other Fairvue scenes. The work is well documented and contains an extensive bibliography.

John Berrien Lindsley: Educator, Physician, Social Philosopher. By John Edwin Windrow. (Chapel Hill: University of North Carolina Press, 1938. xiii + 240 pp. \$4.00.)

"The Nashville Academy of Medicine assembled on the evening of December 16, 1897, in memorial service to a distinguished member, John Berrien Lindsley. The following statement, taken from the resolutions read on that evening, epitomizes the life of the man whose story is herein presented: 'Resolved, That his long and worthy life as a scholar, teacher, medical journalist, historian, hygienist, minister, and philanthropist . . . has been unusually blessed and unselfishly useful.'

"This estimate of Dr. Lindsley by his colleagues was well warranted. He was indeed one of the South's most useful and versatile men. His intelligent and courageous efforts led to many social reforms. He founded the medical school of the University of Nashville, and thus contributed notably to the medical profession. He pioneered in the field of public education, and his efforts led to the founding of George Peabody College for Teachers. He labored in the interest of public health, and contributed vitally to the foundation of Tennessee's health program of today.

"He was a thoughtful student and writer. A partial bibliography found in the annual reports of the American Historical Association for the years 1889-1892 lists the titles of twenty-nine papers written by him. He compiled and edited the *Military Annals of Tennessee*, a volume of one thousand pages which was published in 1886. He wrote numerous manuscripts, which were included in reports or left unpublished.

"In 1849, the year of a memorable cholera epidemic in the South, Dr. Lindsley began writing a diary, which he kept rather consistently for almost twenty years. During the South's darkest decade, he wrote penetratingly, usually philosophically, of the social, political, and economic conditions around him. The preservation of these diaries and other papers by his daughter, Louise G. Lindsley, made possible these pages.

"Philip Lindsley, the father of John Berrien, is well known in educational literature as an educator and a student of the classics. The three volumes on his life published by the Lippincott Company as early as 1866 insure the permanency of his record. His son, John Berrien, whose contribution to society equaled or exceeded that of his father, lives only through the writings of his own pen. The purpose of this volume is to give a measure of recognition to one who in his day contributed so vitally to the public welfare.

"Dr. Lindsey lived in a period of stark reality and tragedy. He saw the University of Nashville, over which his father had presided for twenty-five years, close because of epidemic and financial stress. The periodic visitation of cholera and yellow fever to Nashville and the South are vividly described by him in his several diaries. He saw friends and relatives suffer and die as a result of these scourges.

"He saw the system of Negro slavery flourish and collapse, and watched the social structure of the region, which he and his family had helped to build, disintegrate around him. He knew the bitterness of a divided allegiance within his own family circle. His favorite brother-in-law, Randall McGavock, a colonel in the Confederate army, gave his life for the Southern cause on a hot hillside near Raymond, Mississippi. His brother, Van, whose sympathies were with the North, supported the Union. The University of Nashville, over which Dr. Lindsley presided as chancellor, never recovered from the shock of war. Confronted by the grim realism of a tragic era, Dr. Lindsley maintained a poise which comes only from a deep and abiding philosophy." (Preface.)

The chapters are entitled: I. Preliminary Years; II. Chancellor of the University of Nashville; III. During the Civil War; IV. Pioneer in Public Education; V. Champion for Public Health. Included as appendices are: a chronological outline of Lindsley's life; a list of Lindsley's writings; a group of letters from William Walker; miscellaneous correspondence; resolutions and letters of condolence on the death of Lindsley; and a record of his readings, 1842-1863, found in his diary. The work is well documented and contains a number of illustrations and a bibliography.

Two Soldiers: The Campaign Diaries of Thomas J. Key, C. S. A., and Robert J. Campbell, U. S. A. Edited, with an Introduction, Notes, and Maps, by Wirt Armistead Cate. (Chapel Hill: University of North Carolina Press, 1938. xiii + 277. \$2.50.)

"The attention of the editor of the two diaries published herein (one embedded in the other) was first attracted by a little brown notebook—covers of imitation leather—which carries in ink across its fly-leaf these words: 'Captured by Captain Thomas J. Key on the 22nd of July, '64, near Atlanta, on Sugar Creek.' Easily discernible also is the inscription in pencil of the first owner, a Union soldier: 'R. J. Campbell, Company E, 3rd Iowa Infantry, home: Nevada, Story Co., Iowa.' Campbell began his diary on January 1, 1864, and continued it daily through July 21st of that year. The next day, July 22nd, appears the following entry in another hand: 'The foregoing memoranda was kept by a federal, and now I will complete the book by inscribing my historical events. [Signed] Thomas J. Key.' In addition to the entries made therein by Captain Key, a further search uncovered six more notebooks containing the greater part of the Confederate's diary from December 7, 1863, to May 17, 1865.

"While these diaries shed light on a number of disputed points in connection with the decisive Atlanta campaign of 1864, it is felt that their significance lies primarily in their vitality as human documents—in the intimate day by day recordings of two soldiers in opposing armies. The diary of Captain Key, the Confederate, is doubtless the more important because it is much fuller (it is particularly graphic and detailed in its description of the battle and siege of Atlanta), and because it contains the observations of a newspaper man who exchanged the pen for the sword and who was himself

an actor in the bloody drama which he describes. Gifted with a flair for the unusual and noteworthy, and with uncommon ability to express himself, he found time to record his observations not only on the war but on manners, morals, and politics as well. From him we learn of the songs that were sung, the books that found their way into camp, the smoking, drinking, and bobbed hair of the girls, and the open immorality in the neighborhood of the army; of Johnston, removed from command on the eve of the crucial battle to which his whole strategy had pointed; of the devoted but too highly placed Hood; of Bob Toombs, rallying the Georgia state troops before Atlanta; of Howell Cobb and Ben Hill, defending Jefferson Davis against the attacks of Joe Brown and Alexander Stephens; of the gallant Cleburne (Key's best friend), killed in the fierce charge at Franklin; and of final defeat and disaster for the Army of Tennessee in the sleet and snow at Nashville. Robert J. Campbell's record, on the other hand, is chiefly interesting as an expression of the viewpoint of a young soldier in the ranks—a fine boy who thought far more of the health and comfort of those about him than of himself.

"The difference in the psychology of the two men is highly significant. For the Union soldier, in his middle twenties and with a girl back home to whom he is forever writing and whom he will one day marry, the war is not such a serious matter. He admires the beautiful southern country, and he has little or no apparent rancor against the foe. The destruction of Meridian, Mississippi, and a day's fishing in the Tennessee River are each objectively recorded as interesting and perhaps equally important occurrences. After all it is not *his* country that is being ravaged. With Captain Key, the matter is far different. Thirty-four years of age and separated from his wife and three children, he views the war with disgust, the progressive destruction of the South with sorrow, and Sherman with bitter hatred. When the diary opens, in December, 1863, and until Joseph E. Johnston is removed from command of the army before Atlanta, he is in high hopes of ultimate victory for the Southern cause. From that point, however, his entries mirror the history of the Army of Tennessee—continual disaster and bitter discouragement, only occasionally lightened by news or rumors of the success of Confederate arms on other fields." (Preface.)

Included are short biographical sketches of the two soldiers. The work contains a number of illustrations, including facsimile pages from the diaries, daguerreotype miniatures of Thomas J. Key and his wife, and maps of railroads in 1864 and of several battles and campaigns. There is a brief bibliography, and although the notes are not extensive, they are well selected.

James Tate Williams: His Family and Recollections. By Joseph Vincent Williams. (Kingsport, Tennessee: Printed and bound for the author by the Kingsport Press, Inc. 1938. xiv + 250 pp.)

"My father, Rev. James Tate Williams, in his thirty-nine years, did as much as any other one man in his section after the Civil War towards educating the youth of that day; and in his service as a minister of the Cumberland Presbyterian Church he likewise had a notable record.

"I have prepared this history of my father and our family largely for my children, and after it was written they insisted that I also write something of myself. I have acceded to their request and have denominated the incidents herein as my Recollections. In the generations to come my descendants will not be confronted with the fact, as I was, that none of their forebears took the time to record something about themselves and from whence they came."

The work is divided into four parts: I. Francis Williams and His Descendants; II. Elias Wallace and His Descendants; III. History of Rev. James Tate Williams; IV. Recollections of Joseph Vincent Williams.

Included are a number of illustrations and a chronology of Francis Williams and his descendants, but the work is not documented and contains neither a bibliography nor an index.

The Struggle for a State System of Public Schools in Tennessee, 1903-1936. By Andrew David Holt. [Teachers College, Columbia University Contributors to Education, No. 753.] (New York: Bureau of Publications, Teachers College, Columbia University, 1938. xvi + 502 pp. \$3.85.)

"This study is concerned with the forces, agencies, and activities which have been responsible for the passage of Tennessee's educational laws since 1903. It is interested in the laws themselves only in so far as they compose the objectives toward which the efforts of the friends of education have been directed. It is the purpose of this study, then, to describe and analyze the effort which has been made by friends of education since 1903 to establish, by law, a state system of public schools in Tennessee.

"Because of the breadth of the subject and the scattered nature of the material, it has seemed advisable to limit the scope of the study to the educational crusades of more recent years. The educational revival which swept the South in the latter part of the nineteenth century did not reach Tennessee until about 1903. The thirty years preceding that date had witnessed no unusual educational activities; the ten years immediately following were typified by the most intensive and extensive educational crusade in the history of the state. It is for this reason that 1903 has been chosen as the starting point for the present work.

"According to the interpretation which will be used herein, the ultimate in a state system of public schools is one in which the state guarantees, by statutory provision, an education to every child resident within its borders. Under this interpretation, any agitation for the assumption by the state of more responsibility for the education of its children will be regarded as suitable material for this study. No effort will be made to determine the elements which should compose a state school system or to evaluate the various conceptions of a state's responsibility for public school support which have been held by educational leaders at different periods since 1903.

"The struggle for a state system of public schools in Tennessee since 1903 seems to divide itself rather logically into six periods, each of which is typified by its own peculiar educational conditions, objectives, and activities. As a 'Background of the Struggle' it is deemed advisable in Part I to review briefly the forces and agencies which, from the close of the Civil War to 1903, were operating respectively to retard or to hasten the educational revival in Tennessee. The continuous and effective educational campaigns which held the spotlight in state affairs from 1903 to 1913 suggest the title of 'The Campaign Era' for Part II. During the next decade, 1913 to 1922, activities of the public school forces were centered in a 'Struggle to Install, Maintain, and Expand the System,' the framework of which had been established, by law, at the close of the 'Campaign Era'; Part III describes this period. From 1923 to 1932 the state school administration was definitely aligned with a political faction; Part IV describes this interesting excursion of the 'Schools in Politics.' For the next two years, 1933-1935, educational interest was centered round a scientific study of public school conditions in the state; Part V deals with the work of 'The Educational Commission.' By applying to educational activities in the state during the past year and a half certain criteria which have already proved successful in the campaigns for more adequate school laws, Part VI attempts to present 'The Outlook' for Tennessee's state system of public schools.

"It is to be deplored that few records of past achievements in the field of education have been preserved in Tennessee. The files in the state superintendent's office date back only a few years; the state archives at present are in such disorder that little pertinent material can be found. None of the state's libraries contains complete annual proceedings of the various teachers' associations. Few files of the county newspapers are complete and in order. The material for this study was obtained from a perusal of all copies of the *Nashville Banner* from 1900 to the present time; an examination of certain issues of other city and county newspapers; a study of bulletins, documents, reports, periodicals, Journals and Acts of the legislature, and books in the state library at Nashville, the public libraries of Memphis, Nashville, and Knoxville, and the institutional libraries of Peabody College, Vanderbilt University, University of Tennessee, Southwestern University, State Teachers College at Memphis, and the University of North Carolina; interviews with former state superintendents of public instruction and commissioners of education and other school officials prominent in educational affairs of the state since 1903.

"This scarcity and the scattered condition of useful material have made this and similar studies extremely difficult, as has been implied. It is encouraging to note, however, that an effort is being made to preserve all documents of an educational nature which may prove of value to historians in the future.

"The struggle for a state system of public schools is still in progress, and as Tennessee ranks tenth among the states in percentage of illiteracy, it seems likely that friends of education must continue their crusade for many years to come. It is hoped that the educational campaigners of the present and

future may profit from this account of the activities of the campaigners of earlier days. Some of the techniques employed in earlier struggles, for example, may prove valuable in the struggle of today; and a knowledge of the difficulties encountered and overcome by the friends of education in earlier days will very likely give courage and inspiration to the present friends of education in the state. Finally, this account of the contributions of various individuals and groups to the state's educational development should represent a significant link in the history of the state. Their activities and contributions deserve to be chronicled and preserved for future generations along with those of the state's leaders in other fields of endeavor.

"It is hoped, finally, that from this volume may grow other more detailed studies of the various organizations, agencies, and forces which have contributed to Tennessee's educational development during the present century." (Preface.)

The work is well documented and contains an extensive bibliography.

Land of High Horizons. By Elizabeth Skaggs Bowman. (Kingsport, Tennessee: Southern Publishers, Inc., 1938. xiv + 212 pp. \$2.50.)

"Americans, somewhat of a gypsy race since covered-wagon days, are turning more and more to life on wheels and dreams of adventuring.

"Do you wonder why?

"Perhaps it is because more leisure, superlative roads, improved family cars, and deluxe trailers have made touring such a pleasant undertaking. Be that as it may, the highways of the United States today are filled as never before with motor tourists.

"Fifteen millions of them visited our national park areas during the travel year ending September 30, 1937. And a veritable stream of such motorists followed the network of beckoning roads leading to the Great Smoky Mountains National Park, which lies along the border line between Tennessee and North Carolina in the highest, ruggedest part of the Appalachians.

"Although the youngest of our national parks, it ranked second among twenty-six such areas in number of visitors, the report of the National Park Service shows. Tourists from every state in the Union, and many foreign countries, a total of 727,000 persons, made the Smokies their vacation goal. . . .

"In the following pages I have related as briefly as possible arresting items concerning the people, the history, geology, geography, legends, traditions, and wild life of the Smokies. I have told also of their recreational possibilities. And I have given some general information about the magnificent, high-lying range 'clept,' 'The Great Smoky Mountains,' probably as early as 1781 by its Anglo-Saxon settlers.

"However, bare historical facts and figures about the Smoky Mountains reveal little of the spirit, beauty, mystery, and glory of heights that so move all who behold them.

"Therefore my aim has been to present the Smokies as a whole with their alluring charms rather than in full detail. I hope that, after years of sitting at their feet through changing aspects, I can help the casual visitor, and also the armchair tourist, see the hidden beauty and feel the fascination of the mysterious, bold, changeable, friendly, but not too friendly, highland personality that the mountaineers have dubbed 'Big Smoky'; whom true to his mountain character, reveals himself completely only to his intimate friends." (Foreword.)

The work is amply illustrated and is a convenient, interesting, and attractive guide book for the Great Smoky Mountain region.

Genealogy of Some of the Descendants of Thomas Dew, Colonial Virginia Pioneer Immigrant, together with Genealogical Records and Biographical Sketches of Families in Virginia, Maryland, North Carolina, South Carolina, West Virginia and Tennessee. Compiled by Ernestine Dew White. (Greenville, S. C.: Privately printed. 349 pp. \$6.00.)

"In the year 1931, an incident happened which caused me to endeavor to trace authentically my paternal Dew lineage. Until then I had been quite content knowing my lineage back to my great-grandfather and also knowing the history of the family, which had been handed down traditionally and otherwise from generation to generation. Since traditions are generally based on facts, my research has substantiated practically everything which had been passed down in my branch of the family. We were not aware, however, that the Dew family had so many branches and was such a large family.

"The Dew family, that came to Virginia in the early part of the seventeenth century, was descended from an old English family. There seems to have been much family solidarity in the old English family and also in the early American family during the seventeenth and eighteenth centuries, but, at the beginning of the nineteenth century, many members of the family followed the tide of pioneering to the new lands and wide-open spaces of the south and west. Later on their offspring moved still farther. Thus, by the beginning of the twentieth century, many of the different branches became entirely unknown to each other." (Preface.)

Included is a brief history of the Dew family. The section of the genealogy dealing with the East Tennessee family (pp. 269-316) was compiled by Mrs. Avi Ira Smith of Knoxville.

BOOK RECEIVED

Secession and Restoration of Louisiana. By W. M. Caskey (University, Louisiana: Louisiana State University Press, 1938. xii + 318 pp. Maps, bibliography. \$3.50.)

NOTES AND NEWS*

At the annual banquet of the Society at the Hotel Andrew Johnson, October 7, two papers were presented and discussed: "Whigs in the Politics of the Confederacy," by Daniel M. Robison, of Vanderbilt University, and "Removal of the Cherokees," by John P. Brown, of Chattanooga.

The Society met in Elizabethton, May 20, at the Franklin Club. Following a reception and dinner Judge Samuel C. Williams delivered an address, "1777, the Neglected Year of the Revolution in Tennessee." A discussion was led by W. F. Rogers, of the East Tennessee State Teachers College. Mrs. W. M. Vaught, chairman of the local committee, was assisted by members of the Johnson City and Elizabethton chapters of the Daughters of the American Revolution.

The Calvin M. McClung Award for 1938 was won by Dr. Mary Robertson Campbell, wife of Dr. Claude A. Campbell, of the faculty of Maryville College, for her contribution, "Tennessee and the Union, 1847-1861," to Publications No. 10. This award was presented at the November meeting. The judges were Charles S. Sydnor, Duke University; James C. Malin, University of Kansas, and P. L. Rainwater, Historical Records Survey, Jackson, Mississippi.

At the December meeting the following officers were elected for the year 1939: Joseph A. Sharp, Knoxville, president; Mrs. Claude A. Campbell, Maryville, W. F. Rogers, East Tennessee State Teachers College, Johnson City, and John P. Brown, Chattanooga, vice-presidents; Laura E. Luttrell, Knoxville, secretary; Lucile Deaderick, Lawson McGhee Library, Knoxville, treasurer; Mary U. Rothrock, Tennessee Valley Authority, and J. B. Sanders, University of Tennessee, members of the executive committee. At the same meeting announcement was made of the appointment by the executive committee of the following editors for the annual *Publications*: S. J. Folmsbee, University of Tennessee, managing editor, and V. M. Queener, Maryville College, editorial associate, for 1939; and Daniel M. Robinson, Vanderbilt University, and James W. Patton, Converse College, members of the board of editors for terms of three years.

The West Tennessee Historical Society, which succeeded the Memphis Historical Society, had five meetings during the year; four in Memphis and one, December 5, at Lambuth college at Jackson. J. L. Highsaw, Robert Mobley, Mrs. Mary Stanfill Bond, Herman Haw-

*Compiled by Laura E. Luttrell and Lucile Deaderick. Unless otherwise indicated all dates refer to 1938.

kins, John L. Jelks, and Madison Bratton have read papers before the Society. The principal meeting of the year is held in January to celebrate Jackson's victory at New Orleans. The society plans to aid in the DeSoto Exposition to be held in Memphis in 1941. The officers are: Rev. Marshall Wingfield, president, J. L. Highsaw, Mrs. Walter M. Berry, Mrs. Willis Hitsing, vice-presidents; Edwin L. Morgan, secretary-treasurer.

The invitation extended by the West Tennessee Historical Society to the Mississippi Valley Historical Association to hold its thirty-second annual meeting at Memphis in April, 1939, was accepted. Mr. J. L. Highsaw, principal of the Memphis Technical High School, has been appointed chairman of the committee on local arrangements by William O. Lynch, president of the Association.

Among the Tennesseans and members of the East Tennessee Historical Society who either presented papers or presided over sessions at the fourth annual meeting of the Southern Historical Association, November 3-5, in New Orleans, were: Philip M. Hamer, president of the Association, Culver H. Smith, William C. Binkley, Frank L. Owsley, A. F. Kuhlman, and John R. Pomfret.

A loving cup from the Woman's Press Club was presented by Mayor Bass, of Chattanooga, to Miss Zella Armstrong, president of the Club, in recognition of her research into and publishing of the history of Chattanooga and Hamilton county. This event took place September 16 at the Cotton Ball.

Cecil H. Baker, who, with his brother, founded the old Baker-Himel School for Boys which thrived for a number of years in Knoxville, died November 18 and was interred in Old Gray Cemetery. He was a member of the board of trustees of Carson-Newman College, Jefferson City.

Hardy Bryan Branner, a mayor of Knoxville in the 1880's, died December 8 at his residence in that city. He was eighty-seven years of age. Burial was in Old Gray Cemetery.

The installation of Oliver C. Carmichael as chancellor of Vanderbilt University took place February 3. He is the third chancellor. The first was Landon C. Garland (1875-1893); the second James H. Kirkland (1893-1937).

Charles Theodore Cates, who had served as attorney-general of Tennessee for eleven years, died at his Knoxville home October 15. He was a graduate of Maryville College. He was a life member of the East Tennessee Historical Society.

William R. Chambers died January 9 at his home in Lebanon. He was a former judge of the Court of Chancery Appeals. He was educated at Cumberland University and at Vanderbilt University Law School. For ten years he was dean of Cumberland University Law School. He also served in the state legislature.

William H. Combs, a member of the department of history and political science at the University of Tennessee, resigned to accept a position at the Michigan State College, East Lansing, Michigan.

Prentice Cooper, Democrat, was elected governor of the state in the November election; and Thomas A. Stewart was elected senator for the four years remaining in the term of the late Nathan Lynn Bachman.

Miss Lucile Deaderick has been appointed head of the Calvin M. McClung Historical Collection of the Lawson McGhee Library, Knoxville. She succeeded Miss Laura E. Luttrell, resigned. Miss Deaderick has an A.B. degree from the University of Tennessee and the degree of Bachelor of Science in Library Science from the University of Illinois.

James W. Elmore, ex-mayor of Knoxville, died at his home in that city, November 13, at the age of sixty-two years.

On May 3 the Knoxville Rotary Club placed a bronze plaque at the John Tarleton Institute in honor of Miss Leah Fletcher, superintendent for twenty-five years.

W. Neil Franklin, of the National Archives, has been placed in charge of the Division of Veterans' Administration Archives.

S. C. Garrison was inaugurated president of George Peabody College for Teachers, Nashville, February 3 and 4. He was a former dean of the graduate school and succeeds the late Bruce R. Payne.

Henry Richard Gibson, a centenarian, and a veteran of the Union Army in the Civil War, died in Washington May 25. He had celebrated his one hundredth birthday December 24, 1937. He was a member of the Tennessee constitutional convention of 1870; a member of the United States Congress from Tennessee, 1895 to 1905, a newspaper editor, and an author.

Alexander Guerry, president of the University of Chattanooga for seven years, was made vice-chancellor of the University of the South, at Sewanee, succeeding Benjamin Franklin Finney, retired.

Philip M. Hamer, of the National Archives, has been designated chief of the Division of Reference.

Jesse T. Hill, ex-mayor of Chattanooga, died March 7, at his home in that city at the age of 87 years.

A Pulitzer prize for 1937 (announced May 2, 1938) was bestowed upon Marquis James for his *Andrew Jackson: Portrait of a President*, a continuation of his *Andrew Jackson; Border Captain*, which appeared in 1933. In 1930, he had received the award for his *The Raven: a Biography of Sam Houston*.

Robert Jones, elected governor of Arizona in November, was a former Tennessean born in Rutledge. His pioneer ancestor, Edward Legg, was an early settler in Knox county.

Judge Camille Kelly, of Memphis, the first juvenile court judge in the South, has served for more than eighteen years. She was re-appointed by Mayor Watkins Overton February 9.

James Henry McMurray, head of the social science department of Maryville College for eighteen years, died April 5. He was sixty-seven years of age.

Ashton Waugh McWhorter, professor of classical languages at the University of Tennessee since 1923, died November 17. He received his doctor's degree at Johns Hopkins. He was born in Virginia in 1877.

Felix Mathias Massey, dean of students at the University of Tennessee died September 3, in California where he and Mrs. Massey had gone on a vacation. He was buried in Greenwood Cemetery, Knoxville.

The Social Science Research Council awarded grants-in-aid to the following members of the faculty of the University of Tennessee for research during the year 1938-39: James Cecil Nelson, associate professor of marketing, for a study of motor carrier regulation in the state; and Maurice O. Ross, associate professor of finance for a study of the state regulation and control of commercial banking.

Frank L. Owsley, professor of history at Vanderbilt University, has been awarded a grant-in-aid by the Social Science Research Council for a study of the social structure of the Old South, 1840-1860.

Archie MacInnes Palmer was inaugurated president of the University of Chattanooga, September 21. He succeeded Alexander Guerry, who was made vice-chancellor of the University of the South, at Sewanee.

Verton M. Queener, of Maryville College, taught in the department of history at the University of Tennessee during the summer session.

Thomas Samuel Rankin, for fifty years professor of ancient languages at Tusculum College, died October 30.

President and Mrs. Roosevelt visited Chickamauga Dam in November. Governor Gordon Browning was their host at that time.

Mary U. Rothrock, supervisor of the TVA libraries and former librarian of Lawson McGhee Library, Knoxville, was awarded the Joseph W. Lippincott prize of five hundred dollars for "the most outstanding contribution to librarianship during 1935-1936." This award was presented to Miss Rothrock at the annual meeting of the American Library Association, Kansas City, Missouri, June 15. Miss Rothrock is the author of *Discovering Tennessee* and a contributor to the *Publications* of the East Tennessee Historical Society, of which Society she is president, and to library periodicals. She has served as president of the Tennessee Library Association, and also of the Southeastern Library Association, and is a member of the American Library Council.

Jennings B. Sanders, head of the history department of the University of Tennessee, visited Europe during the summer and spent some time in research in England.

Culver H. Smith, head of the history department of the University of Chattanooga, taught at Duke University, Durham, North Carolina, during the summer session.

Thomas Clarkson Thompson, mayor of Chattanooga, 1909-1915, died at his home in Chattanooga, March 21.

Judge Charles Willard Turner (1844-1922), formerly dean of the law college of the University of Tennessee, was honored by the alumni at the homecoming of the University, October 28 and 29. At the dinner given Friday evening, tributes to the late dean Turner were made by S. B. Strang, of the Chattanooga bar; John M. Thornburg, of the Knoxville bar; and James Seddon Allen of the Memphis bar. In November a portrait, painted by Knaffl was presented to the Law Library.

Katherine Keough White (1863-1938), club leader and historian of the state, died at her Knoxville home September 8. She was the author of *King's Mountain Men; Tennessee State History of the Daughters of the American Revolution*; and of numerous contributions to periodicals and newspapers. She was a charter member of the East Tennessee Historical Society, though not a member at the time of her death.

George Beverly Winton, professor of history and Biblical literature at Vanderbilt University, died March 11. Three sons and a daughter survive him.

September 16-25 Chattanooga celebrated the seventy-fifth anniversary of the Battle of Chickamauga, the centennial of the founding of Chattanooga, and the centennial of the Cherokee Indian removal. A reënactment of the battle and an historical pageant were daily features. R. L. Moore was president of the celebration committee; Miss Zella

Armstrong, Eugene J. Bryan, and Will Shepherd were vice-presidents. Burton Jones was chairman of the Cherokee removal commemoration.

On the 21st a monument to the memory of Reverend Stephen Foreman, presented by the Oklahoma descendants of the missionary, was dedicated at the site of Brainerd Mission. The four Chattanooga chapters of the Daughters of the American Revolution presented a tablet upon which was inscribed the names of the men and women who taught at the Brainerd Mission with Reverend Stephen Foreman, or were students there.

On the 22nd, a pilgrimage to historic Cherokee Indian sites was made. Cherokees from Oklahoma and from the reservation in western North Carolina; members of the East Tennessee Historical Society and of the chapters of the Daughters of the American Revolution in Chattanooga, Cleveland, and other towns; and a large number of school pupils joined the motorcade. The Red Clay Council Spring and the old block house at Benton were visited. Markers were dedicated at the site of the John Ross home, and of Fort Cass at Charleston.

On November 29, the seventy-fifth anniversary of the Battle of Fort Sanders (or the Siege of Knoxville), the members of the Knoxville chapter of the United Daughters of the Confederacy placed a wreath upon the monument on the battle field to the memory of the 392 Confederate soldiers who fell in the battle.

A bronze tablet placed upon the Washington county courthouse at Jonesboro in memory of Jacob Brown, a colonial and Revolutionary soldier and pioneer settler of East Tennessee, was unveiled March 8 by the Daughters of the American Colonists. Mrs. Willis Hitsing, of Memphis, president, presided; Judge Samuel C. Williams made an historical address.

A marker to James Clark, Revolutionary soldier buried in Clark Grove Cemetery, Blount County, was dedicated October 9 by the Mary Blount chapter, Daughters of the American Revolution. Miss Clemmie Henry, regent, conducted the ceremony.

On October 9, the Tohopeka chapter, Daughters of 1812, unveiled a marker at the grave of each of three brothers, Benjamin, Edmond, and Obadiah Hall. Mrs. Reuben Hays, regent, conducted the ceremonies and Mr. E. G. Hall gave an historical sketch of the Hall family. The three soldiers were sons of Thomas Hall, a Revolutionary soldier and pioneer settler of Knox county. Each one is buried in a plantation cemetery near Halls Cross Roads. On October 16, the Daughters of 1812 unveiled markers at the graves of two other 1812 soldiers: James Hope, buried in Hickory Cemetery, western part of Knox county, and Solomon Demarcus, buried in Graham Cemetery, Anderson county.

A monument to the memory of John Kirkpatrick (1741-1812), a Revolutionary soldier, pioneer settler in East Tennessee, and founder of Salem Presbyterian Church, was unveiled September 18, in Bent Creek Cemetery, near Whitesburg. The ceremony was in charge of the Samuel Doak chapter of the Daughters of the American Revolution. Mrs. L. H. Corbett, regent, conducted the ceremony. Samuel S. Kirkpatrick, of Jonesboro, made a patriotic address and Spears McCollough, of Knoxville, who was responsible for the monument honoring the soldier, gave a history of John Kirkpatrick and his descendants. Mrs. Casandra Kirkpatrick McCollough, of Knoxville, oldest living descendant of John Kirkpatrick in Tennessee, unveiled the monument.

On October 7 the Bonny Kate chapter, Daughters of the American Revolution, presented a portrait of the late Mary Boyce Temple to the Blount Mansion Association. This was in recognition of Miss Temple's efforts in establishing the Mansion as a state shrine.

On October 15 a marker for the graves of Reverend Thomas Williamson and wife, Keziah Broyles, was dedicated. The graves are located near Cedar Grove Church, in Greene county. Reverend Williamson was a pioneer minister of the Methodist Church. His wife was the daughter of Jacob Broyles, (Breiles) who settled in Greene county about 1780.

Two markers were erected October 26 by the Tennessee Baptist Historical Society and the Women's Missionary Union. They commemorate Buffalo Ridge Church, the first Baptist church established in Tennessee, and Jonathan Mulkey, the first Baptist preacher, and are located in Washington county, near Johnson City.

The centennial of Carpenter's Campground, Methodist, near Maryville, was celebrated July 24. William E. Parham gave a history of the church at that place. Reverend C. E. Pickering is the pastor.

The sesquicentennial of Methodist preaching in Nashville was celebrated December 5 at a mass meeting at the War Memorial Building.

St. John's Lutheran Church, Knoxville, celebrated its fiftieth anniversary in November with seven special services. Reverend A. M. Huffman is the pastor.

Mr. George P. Chandler, retired Knoxville insurance man, gave to the University of Tennessee a valuable collection of Indian artifacts and mineralogical specimens which were collected by him. Some specimens are from Ohio. They will be displayed by the archaeology department, which is headed by T. M. N. Lewis.

The remains of the historic Boone tree was purchased March 8 by the John Sevier chapter, Daughters of the American Revolution, of

Johnson City. Gavels and copies of antique furniture will be made.

The new Tennessee Supreme Court Building at Nashville was dedicated December 4, 1937. Charles N. Burch, Arthur Crownover, and Grafton Green made addresses upon this occasion. Governor McAlister, in 1935, sponsored the necessary legislation for the building, which was a Public Works Administration project.

The department of archives of the Louisiana State University has acquired the diary of Harod C. Anderson (1854-1888), of Haywood County, Tennessee. The diary is in three volumes.

Duke University has acquired some letters of Andrew Jackson, 1814-1842; also Washington county, Tennessee, court records 1803-1854.

The University of Tennessee has acquired the William B. Lenior papers (mainly manuscripts) and some papers that pertain to Roane and Meigs counties.

The McClung Collection, Lawson McGhee Library, has a gift from Mrs. C. M. McClung of the library film projector—a "Recordak." Films of *Brownlow's Whig*, published in Elizabethton and Jonesboro, and its continuation, *The Knoxville Whig*, have been ordered from the Library of Congress.

With the aid of WPA workers a calendar of the Nelson papers is being completed, and other manuscript collections are being filed in manuscript cases.

The Daughters of the Colonists are supervising the preservation of some of the manuscripts of Washington county.

During the National Chickamauga Celebration at Chattanooga the Chattanooga papers published special historical editions: *Chattanooga Times*, September 18; *Chattanooga News*, September 20; and *Chattanooga Free Press*, September 21.

Among the other articles of historical interest which appeared in newspapers were the following:

Chattanooga Free Press, September 21, "Cherokees' Removal West," and "Return Jonathan Meigs, Revered Agent for the Cherokees," by John Morgan Wooten.

Chattanooga Times, January 2, "Chattanooga's First Mayor" [James Enfield Berry], by Zella Armstrong; April 17, "Captain Walter C. Wilkey, Career of a Noted Riverman," by T. J. Campbell; June 26, "Tennessee at Gettysburg," by Ray C. Thompson; September 21-23, "A Wartime Diary" of Myra A. Inman.

Knoxville *News Sentinel*, September 11, "Hugh Lawson White, Knoxville's First Schoolboy," by John S. Van Gilder; November 29, "75 Years Ago, Ft. Sanders Battle," by John S. Van Gilder; February 14, "Streamlining the Public Schools," by Harry C. Watkin.

The Lookout, (Chattanooga), March 11, "Some Early Chattanooga and Hamilton County History," by Zella Armstrong; June 10, "Chattanooga from the earliest times," and "The Story of the Mayors," by Zella Armstrong; "The Cherokee were Early Citizens of the Valley," by John P. Brown; "The Story of St. Elmo," by Thankful Everett; and "Chattanooga during the War Between the States," by George Emory; November 18, "De Soto in the present Hamilton County," by Zella Armstrong.

Memphis *Commercial Appeal*, February 20, "Down the Road to Yesterday in Memphis," by Robert Talley.

Nashville *Banner*, January 19 and continuing every week, "Tennesseans on the March," by William E. Beard; March 5, "Tennessee's Capitol, Neglected Masterpiece," by Mary French Caldwell.

The Register (Denver, Nashville), July 31, Tennessee edition, historical issue. Contains history of the establishment of Catholic churches, missions, and schools in the state; also biographies of Father Ryan and Bishops Bryne and Whelan.

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The Journal of Southern History

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An award of fifty dollars is offered by Mrs. C. M. McClung, of Knoxville, to the contributor of the paper which is adjudged to be the best of those printed in each number of the *Publications* of the Society. The conditions governing the award are as follows:

1. Papers contributed by officers of the Society, including the editorial board, shall not be deemed to be in competition.
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